

**PENNSYLVANIA LIQUOR CONTROL BOARD**  
**MEETING MINUTES**

**WEDNESDAY, FEBRUARY 15, 2017**  
**NORTHWEST OFFICE BUILDING, CONFERENCE ROOM 117, HARRISBURG, PA**

Tim Holden, Chairman  
Mike Negra, Board Member  
Michael Newsome, Board Member  
Charlie Mooney, 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](#)

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**PUBLIC MEETING – 11:00 A.M**

Board Secretary John K. Stark announced that Chairman Holden would not be present at the meeting and that Board Member Newsome would be presiding over the meeting in Chairman Holden’s absence.

**CALL TO ORDER** .....*Board Member Newsome*

Pledge of Allegiance to the Flag

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

A. Motion to approve the previous Board Meeting Minutes of the February 1, 2017 meeting.

**Motion Made:** Board Member Negra

**Seconded:** Board Member Newsome

**Board Decision:** Unanimously approved (2-0 vote) 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) **City of Philadelphia**  
Excessive False Security Alarm Violations  
Philadelphia Wine and Spirit Stores

Settlement Agreement

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

Board Member Negra asked Rod Diaz, Chief Counsel, to explain the facts and circumstances regarding this proposed action.

Mr. Diaz explained that this proposed action involves an ongoing issue whereby the City of Philadelphia has been issuing citations and imposing fines against the PLCB because of problems with security alarms at its stores. He further explained that the City of Philadelphia now appears to understand that it cannot do this because the PLCB is sovereignly immune from such citations and fines. Thus, a settlement agreement has been proposed in which the PLCB would agree to withdraw its pending legal cause of action against the City of Philadelphia in exchange for the City of Philadelphia agreeing to withdraw any pending citations, fines, and/or other collection efforts against the PLCB, as well as agreeing to not pursue any future citations, fines, and/or other collection efforts against the PLCB.

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

**Board Decision:** Unanimously agreed (2-0 vote) to Approve Settlement Agreement.

- (2) **PAC CLUB of Western PA** Appeal to Commonwealth Court  
522 Rosedale Street  
Pittsburgh, Pennsylvania 15221-2040  
Restaurant Liquor License No. CC-2293  
LID 70757  
Docket No. SA-16-652 (AlleghenyCounty)

Board Member Negra asked Rod Diaz, Chief Counsel, to explain the facts and circumstances regarding this proposed action.

Mr. Diaz explained that this matter involved an application for transfer of a catering club liquor license, which was refused by the Board because of the adverse impact that the proposed transfer would have on the surrounding neighborhood. The Allegheny County Court of Common Pleas disagreed with the Board, and reversed the Board's decision. Mr. Diaz indicated that there is a reasonable chance that the PLCB will prevail on appeal to the Commonwealth Court. Therefore, the Office of Chief Counsel is recommending that an appeal be filed.

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

**Board Decision:** Unanimously agreed (2-0 vote) to Appeal to Commonwealth Court.

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

(1) **Northwood Beverage, LLC** Place-to-Place Transfer –  
**t/a Northwood Beverage** Distributor  
D-3421 (LID No. 72869)  
3601 Nazareth Road, Suite 1-2  
Palmer Township  
Easton, Northampton County

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

**Board Decision:** Unanimously agreed (2-0 vote) to Approve Transfer.

(2) **Lincoln Way Pizza, LLC** New Tavern Gaming License  
R-16876 (LID No. 69265)  
101-103 Crystal Drive  
McConnellsburg, Fulton County

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

**Board Decision:** Unanimously agreed (2-0 vote) to Approve New Tavern Gaming License.

Following the vote on this matter, Board Member Negra asked Tisha Albert, Director of Regulatory Affairs, for an update on the total number of Tavern Gaming Licenses that have been approved by the Board. Ms. Albert indicated that, with the license that was just approved, a total of 55 Tavern Gaming Licenses have now been approved.

*From the Bureau of Human Resources ..... Jason Lutcavage, Director of Administration  
Jennifer Haas, Director, Bureau of Human Resources*

Personnel Actions

- (1) **Deja Faison - Removal**
- (2) **NaDiegdrah Frink – Affirm Removal**
- (3) **Peter Gannon – Affirm Removal**

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(4) **Christopher Hatok –Removal**

(5) **Marcus Pryer – Removal**

(6) **Niketa Tull - Removal**

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

**Board Decision:** Unanimously agreed (2-0 vote) to Approve all Personnel Actions.

*From the Bureau of Accounting & Purchasing ..... Oren Bachman, Director of Finance  
Koppolu Ravindraraj, Director, Bureau of Accounting & Purchasing*

(1) **HP Elite x2 Tablets** – Provide sixty (60) HP Elite x2 tablets with monitors and accessories for PLCB Licensing Investigators as the current, older laptops are having issues running the new POSSE application. A small, pilot group of the tablet was tested and approved prior to moving forward with replacing the remaining laptops.

Procured via Invitation for Bid #260323 – VENDOR: Southern Computer Warehouse, Inc. – \$98,542.20 estimated cost. Other bids received: Suba Saitech, Inc. – \$99,372.60; Hypertec USA – \$101,947.80; OM Office Supply, Inc. – \$110,406.00; PCMG, Inc. – \$115,609.80.

(2) **Furniture for Store #0943** – New center table and wall units for Fine Wine & Good Spirits Store #0943 in Newtown.

Procured via DGS Statewide Contract #4400013989 – VENDOR: TC Millwork – \$99,252.17 estimated cost.

(3) **Cisco Ethernet Switches with Maintenance** – Provide thirty-four (34) Cisco Ethernet switches with hardware maintenance to replace existing ten (10) year old Ethernet switches housed in switch closets located around the NWOB. These switches provide network connectivity for NWOB workstations, PennConnect phones, printers, copiers, Access Points, etc. The new switches will support Power-over-Ethernet and allow PennConnect phones to be powered by closet switch, eliminating the need for most of the existing phone power supplies in users’ cubicles plus they will power Access Points in the NWOB.

Procured via DGS Statewide Contract #4400011887 – VENDOR: ePlus – TERM: One (1) year – \$161,556.60 estimated cost.

Board Member Newsome asked Nicholas Melnick, Jr., Chief Information Officer, what the PLCB does with its old laptops after they are replaced with new ones.

Mr. Melnick indicated that any old computer equipment is turned over to the Department of General Services and handled in accordance with the applicable policies and procedures governing surplus equipment.

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Board Member Newsome also asked Mr. Melnick to explain the one (1)-year term relative to the proposed purchasing action for Cisco Ethernet Switches.

Mr. Melnick explained that the PLCB would be purchasing the hardware and that the one (1)-year term pertains to the service or maintenance agreement that coincides with and is offered by the vendor for that hardware.

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

**Board Decision:** Unanimously agreed (2-0 vote) to Approve all Purchasing and Contracting Actions.

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

1. **#0228 – 1749 South Braddock Avenue, Pittsburgh  
Amendment**
2. **#3302 – 567 West Mahoning Street, Punxsutawney  
Amendment**
3. **#4510 – 232 Fox Run Lane, East Stroudsburg  
Amendment**
4. **#5157 – 1237 South Eleventh Street, Philadelphia  
Amendment**
5. **#6304 – 105 Third Street, Charleroi  
Amendment**
6. **#6312 – 524 Front Street, Fredericktown  
Amendment**
7. **#50XX – 205 Fickes Lane, Newport  
New Store**

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

**Board Decision:** Unanimously agreed (2-0 vote) to Approve all Retail Operations Actions.

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*From the Bureau of Product Selection .....Dale Horst, Director of Marketing & Merchandising  
Tom Bowman, Director, Bureau of Product Selection*

**1. Regular PA Preferred New Item**

<u>BRAND NAME AND SIZE</u>	<u>REASON</u>
<u>County Seat Spirits LLC</u> Hidden Copper Bourbon 750 ML	8

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

**2. Regular Recommended Delist Retail Reductions April 2017**

<u>BRAND NAME AND SIZE</u>	<u>CODE</u>
<u>Bacardi USA Inc</u> Bacardi Torched Cherry Rum 750 ML	3160
<u>Constellation Wines US</u> Simply Naked Unoaked Pinot Noir 750 ML HRM Rex Goliath Zinfandel 750 ML	7029 3256
<u>North Wales Wine</u> Ecco Domani Prosecco 750 ML	6546

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**Stellar Importing Co LLC**

Loukatos Mavrodaphne of Patras 750 ML	6595
Loukatos Retsina Roditis 750 ML	6596

**Treasury Wine Est Amer Co**

Truvee Chardonnay Central Coast 750 ML	9423
Truvee Red Blend Central Coast 750 ML	9424

EFFECTIVE DATE: The transference to closeout will become effective February 27, 2017

RECOMMENDED ACTION: We recommend the Board approve this action

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

**Board Decision:** Unanimously agreed (2-0 vote) to Approve all Bureau of Product Selection / Marketing Actions.

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

None

**OTHER ISSUES**

*Transfer to General Fund*.....*Oren Bachman, Director of Finance*

The Office of Budget requests the transfer of \$23,300,000 from the State Stores Fund to the General Fund.

The transfer of this prescribed amount of \$23,300,000 will be processed, as authorized in Expenditure Symbol Notification Number 16-085.

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

**Board Decision:** Unanimously agreed (2-0 vote) to Approve the Requested Transfer to the General Fund.

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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 8, 2017 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 Newsome, the meeting was adjourned.

The foregoing actions are hereby officially approved.

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

ATTEST:

\_\_\_\_\_  
Secretary