

PENNSYLVANIA LIQUOR CONTROL BOARD
MEETING MINUTES
LISTEN TO THE RECORDING

WEDNESDAY, AUGUST 4, 2021
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](#)

Notice: Anyone who wishes to comment on a printed agenda item prior to official action being taken must make that known to the Chairman or the Board Secretary in advance.

Details for the telephone conference Board Meeting on August 4, 2021 can be found on the PLCB public website.

PUBLIC MEETING – 11:00 A.M

CALL TO ORDER *Chairman Holden*

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

Pledge of Allegiance to the Flag

Chairman Holden noted it was the second in-person board meeting since the start of the pandemic.

OLD BUSINESS.....*Secretary Stark*

- A. Motion to approve previous Board Meeting Minutes of the July 14, 2021 meeting.

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

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

PUBLIC COMMENT ON AGENDA ITEMS

There was no public comments on the printed agenda items.

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NEW BUSINESS

From the Office of Chief CounselRodrigo Diaz, Chief Counsel

- (1) **KKB Enterprise LLC** Application for Conversion of Suspension to Fine
4706 Rte 8 Storeroom #1
Hampton Twp
Allison Park, PA 15101-2457
Distribution Liquor License No. D-3812
LID 67473

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to convert suspension to a fine of \$3000.

- (2) **Raul Ortiz** Proposed Renewal of Liquor License
t/a Silver Dollar Bar
356 South 4th Street
Reading, PA 19602-2309
Restaurant Liquor License No. R-10255
LID 57313

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to approve renewal of liquor license.

- (3) **Delegation to the Executive Director and/or His Assignees** Amendment of Delegation Authority

The Board contemplated a proposed amendment to the authority delegated to the Executive Director to include the purchase and setting of prices for “ready to drink” beverages. Chief Counsel Diaz provided some background information regarding the delegation of wine and spirits purchasing and pricing. Chief Counsel Diaz explained that in 2016 the Board granted the Executive Director the right to make certain purchasing decisions and noted the Board has the right to so delegate. One of the types of products Mr. Demko can approve is “one time buying.” The proposed amendment to the delegation would specify that the category of one-time buying includes “ready to drink” beverages, many of which are transitioning from the one time buying category to a listed item. Doing so would allow the Board to react to the marketplace more efficiently. Diaz noted that Mr. Demko would still be under an obligation to keep the Board apprised of his decisions related to this amendment.

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Board Member Negra added that the decisions Mr. Demko makes will show up on the ensuing board work as a listed item and Chief Counsel Diaz confirmed.

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to approve Amendment of Delegation Authority.

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

(1) **Columbia Kettle Works, LLC** New & Requests for Interior
t/a Columbia Kettle Works Connections with Another
(LID No. 106334) Business & Dual Employment -
2800 North Reading Road Brewery Storage
Adamstown, Lancaster County

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to approve new license and request for interior connections with another business and dual employment.

(2) **Gurudev Berksbeer, Inc.** Person-to-Person Transfer &
t/a Berks Beer Requests for an Interior
D-2585 (LID No. 105738) Connection with Another
211-219 South 9th Street Business & to Retain Other
Reading, Berks County Employment – Distributor

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to approve person-to-person transfer, request for an interior connection with another business and to retain other employment.

(3) **Liberty Development Co. Inc. of Hazleton** Extension of License - Restaurant
t/a 4th Street Pub
R-8301 (LID No. 50933) Case No. 21-9010
112-114 North 4th Street
West Hazleton, Luzerne County

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to approve the extension of license.

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- (4) **Mandel & Thel, Inc.**
t/a Young Brothers
R-9929 (LID No. 56546) Case No. 21-9020
1439-43 Woods Run Road
Pittsburgh, Allegheny County
- Notice of Change in Business Structure & Request for Dual Employment - Restaurant
- Motion Made:** Board Member Negra
Seconded: Board Member Isenhour
- Board Decision:** Unanimously agreed (3-0 vote) to approve the notice of change in business structure and the request for dual employment.
- (5) **On The Point Brewing, LLC**
t/a On The Point Brewing at Flying Squirrel Trampoline Park
(LID No. 104934)
180 Tomlinson Drive
Jackson Township
Zelienople, Butler County
- New & Requests for Interior Connections with Another Business & Dual Employment – Brewery Storage
- Motion Made:** Board Member Negra
Seconded: Board Member Isenhour
- Board Decision:** Unanimously agreed (3-0 vote) to approve new license and request for interior connections with another business and dual employment.
- (6) **RJ Fries Enterprises, LLC**
t/a Juan Pistolas
(LID No. 105583)
225 South Church Street
West Chester, Chester County
- New & Request for an Interior Connection with Another Business - Importer
- Motion Made:** Board Member Negra
Seconded: Board Member Isenhour
- Board Decision:** Unanimously agreed (3-0 vote) to approve new license and request for interior connections with another business.
- (7) **Rizzo’s Malabar Inn, Inc.**
t/a Rizzo’s Malabar Inn
R-8629 (LID No. 106276)
126 Rizzo Road
Salem Township
Crabtree, Westmoreland County
- Person-to-Person Transfer & Request to Sell Other Items on the Licensed Premises - Restaurant

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Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to approve person-to-person transfer and request to sell other items on the licensed premises.

- (8) **Steelton Post No. 420 Social Club** Renewal with Notice of
CC-5225 (LID No. 3853) Case No. 21-9005 Change in Officers –
1860 South 19th Street Catering Club
Swatara Township
Harrisburg, Dauphin County

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

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

- (9) **VB Restaurant Group, LLC** Renewal - Restaurant
R-13476 (LID No. 71622) Case No. 21-9016
109 Van Brunt Street
Moscow, Lackawanna County

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Chairman Holden asked if there were any representatives of the licensee on the call. The teleconference moderator confirmed there were none.

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

- (10) **Mamma Ventura Restaurant & Lounge, LLC** Renewal – District 2
t/a Mamma Ventura
R-20389 (LID No. 54230) Case No. 2020-54230
13 Chambersburg Street
Gettysburg, Adams County

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: HOLD for conditional licensing agreement.

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(11) Salamaca Enterprises, Inc.
H-3639 (LID No. 67619) Case No. 2020-67619
615-617 East Market Street
York, York County

Conditional Licensing
Agreement
Renewal – District 2

HOLD – 5/12/21 SESSION

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

Board Decision: Unanimously agreed (3-0 vote) to approve renewal with a conditional license 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) Leonard Ayers – Removal**
- (2) Dominic Birch – Affirm Removal**
- (3) Kara Burke – Affirm Removal**
- (4) Marjorie GIZZI – Removal**
- (5) Khamiyah Gresham – Affirm Removal**
- (6) Patricia Henley – Affirm Removal**
- (7) Rima Hill-Muhammad – Affirm Removal**
- (8) DeShae Moore – Affirm Removal**
- (9) Ivan Morales – Demotion**
- (10) Elyssa Moses – Affirm Removal**
- (11) Tyree Russell - Removal**
- (12) James Schiefer – Affirm Removal**
- (13) Coisha Smith – Removal**
- (14) Amber Whitaker – Demotion**
- (15) Iquira Williams – Affirm Removal**

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(16) Nicole Wright – Affirm Removal

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) **BlueYonder Space Planning Plus** - PLCB will acquire three licenses for this industry-leading merchandising and space planning software to replace its current Spaceman software, which isn't compatible with industry space-planning partners. PLCB usage of this software will increase PLCB space planning capabilities and efficiencies. Separate from this procurement, PLCB will also engage Plantensive Solutions Group to provide solution configuration, deployment and training for PLCB users.

Licenses Procured via Sole Source – **VENDOR: BlueYonder, Inc.** - Term: One year for period 9/1/2021 through 8/31/2022 - \$84,000.00 estimated cost.

Configuration, Deployment and Training Services Procured via Request for Quote – **VENDOR: Plantensive Solutions Group** - \$19,200.00 estimated cost.

Licenses and Services - \$103,200.00 total cost.

- (2) **Armed and Unarmed Security Guard Funding Increase** – This funding increase is needed due to FWGS stores returning to pre-COVID hours of operation which extends opening and closing times requiring extra hours for armed and unarmed security guard coverage.

Procured via Blanket Purchase Agreement #63017275 Funding Increase – **VENDOR: St. Moritz Security Services Inc.** - **\$2,000,000.00 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:

- (1) **Department of General Services (DGS) Property Costs (JOB 7)** – Billing of \$357,855.24 for FY 2019-20 Q2 through Q4 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.

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- (2) **Executive Offices JOB 78-OCRIM** – FY 2020-21 billing of \$71,846.31 to reimburse the Executive Offices for services provided by the Office of Continuity and Records Information Management (OCRIM) to operate the Executive Management Directives system, continuity and preparedness operations, and the ALERTPA notification system (CodeRed).
- (3) **Department of Community and Economic Development (DCED) for e-grants application** – Billing of \$50,000 for FY 2021-22 for the annual support charge to the PLCB for the use, staffing and system support of the PLCB’s e-grants application on DCED’s eGrants platform.
- (4) **Office of Administration – IT Shared Services** – Billing of \$328,350 for the FY 2021-22 Q1 billing for OA’s IT Enterprise Technology Essential Services. This billing is for enterprise-wide infrastructure, network, security, enterprise data center (EDC) and service desk costs.
- (5) **State Employee’s Defined Contribution Plan** – Billing of \$117,613.56 for FY 2021-22 for Defined Contribution Plan costs from the State Employees Retirement System (SERS). Act 23 of 2020 allows SERS to assess charges to cover the administrative costs for the new defined contribution (DC) retirement plans.

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 Isenhour

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

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

- (1) **#0213 – 217 Atwood Street, Pittsburgh
Amendment**
- (2) **#0901 – Hilltown Crossings, 1547 Bethlehem Pike, Hatfield
Amendment**
- (3) **#1008 – Slippery Rock Plaza, 223 Grove City Road, Suite 2, Slippery Rock
Amendment**
- (4) **#1101 – 426 Main Street, Johnstown
Amendment**
- (5) **#4509 – Tannersville Plaza, 2838 Rte. 611, Suite 107, Tannersville
Amendment**
- (6) **#4611 – Parktown Plaza, 301 North Lewis Road, Royersford
Amendment**
- (7) **#4626 – 2501 Main Street, Norristown
Amendment**

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(8) **#4809 – Bath Shopping Center, 362 South Walnut Street, Bath
Amendment**

(9) **#4810 – 3926 Nazareth Pike, Suite 11, Bethlehem
Amendment**

(10) **#4203 – 433 West Main Street, Smethport
Closing**

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

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

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

VENDOR – ITEM NAME

BOARD ACTION REQUESTED

Various
Various
Various
Various

1. Regular New Items Accepted
2. Regular PA New Items Accepted
3. Regular Recommended Delist
4. Regular Recommended Delist Revision

1. Regular New Items Accepted

BRAND NAME AND SIZE

REASON

Azzurre Spirits Co

Empress 1908 Gin 85 Proof 750 mL

5,9,12

Capital Wine and Spirits Inc

Scandalous One Cabernet Noir 750 mL

11,19

Jim Beam Brands Co

Jim Beam Straight Bourbon PET 80 Proof 1.75 L

19

Juice and Dirt Beverage Co LLC

Hedges Family Estate CMS Chardonnay 750 mL

4,5

Kobrand Corp

The Seeker Riesling Mosel 750 mL

11,19

Legacy in a Glass

Sposato Family Vineyards Malbec Mendoza 750 mL

11,19

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Moet Hennessy USA Inc

Chandon Garden Spritz 187 mL 2,3,12,19

Northern Wine and Spirits

PEJU Cabernet Sauvignon Legacy Collection Napa Valley 750 mL 4,11

PEJU Sauvignon Blanc Legacy Collection Napa Valley 750 mL 4,11

Palm Bay International

Roscato Rosso Dolce 187 mL 2,3,10,12,19

Paterno Imports LTD

Seven Daughters Moscato 750 mL 10,11,19

Regal Wine Imports

Custard Chardonnay Sonoma 750 mL 18

Southern Glazers Wine and Spirits of PA

Luc Belaire Rare Rose Sparkling France 1.5 L 2,3,19

Luc Belaire Rare Rose Sparkling France 375 mL 2,3,19

Sutter Home Winery Inc

Menage a Trois Sweet Collection Dolce Red 750 mL 1,2,3

Menage a Trois Sweet Collection Moscato 750 mL 1,2,3

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>Dauids Distillery</u>	
Lazikas Chacha Grape Brandy Oak Finished 42 Proof 750 mL	16
Lazikas Chacha Original Grape Brandy 84 Proof 750 mL	16
<u>Eight Oaks Farm Distillery</u>	
Eight Oaks Farm Distillery Pinot Noir Finished 88 Proof 750 mL	16
<u>Holy Water Distillery LLC</u>	
CrostFire Cinnamon Flavored Whiskey 71 Proof 750 mL	16
KLYR Single Blended American Rum 80 Proof 748 mL	16
<u>Philadelphia Distilling</u>	
Bluecoat Gin for Seltzer 94 Proof 750 mL	16
<u>Southern Wine and Spirits of PA</u>	
Surfside Iced Tea and Vodka Cocktail 4x355 mL Cans	16

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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

3. Regular Recommended Delist

<u>BRAND NAME AND SIZE</u>	<u>CODE</u>
<u>Fetzer Vineyards</u> Concha y Toro Casillero del Diablo Rose 750 mL	2086
<u>Jim Beam Brands Co</u> Jim Beam Straight Bourbon 80 Proof 1.75 L	4078
<u>Majestic Wine and Spirits USA Inc</u> Kono Sauvignon Blanc Marlborough 750 mL	327
<u>Midnight Madness Distilling LLC</u> Faber Cold Brew Vodka 70 Proof 750 mL	98159
<u>Pennsylvania Pure Distilleries LLC</u> BLY Rum Limited Reserve 105 Proof 750 mL	98440
<u>Southern Glazers Wine and Spirits of PA</u> Conundrum Rose 750 mL Fever Tree Lemon Tonic Water Nonalcoholic 4x200 mL	98130 35118

EFFECTIVE DATE: The transference to closeout will become effective September 3, 2021

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4. Regular Recommended Delist Revision

BRAND NAME AND SIZE **CODE**

RESCIND

Bacardi USA Inc

Cazadores Tequila Reposado 80 Proof 200 mL 1055

Note: This was sent to Board 6-23-21

Patron Tequila Roca Silver 90 Proof 750 mL 8604

Patron XO Café Coffee Liqueur 70 Proof 750 mL 5881

Note: This was sent to Board on 5-12-21

Midnight Madness Distilling LLC

Single Prop Rum 80 Proof 750 mL 1328

Note: This was sent to Board 6-23-21

North Wales Wines

Wohler Bridge Chardonnay Russian River Valley 750 mL 98298

Wohler Bridge Pinot Noir Russian River Valley 750 mL 98299

Note: This was sent to Board 6-2-21

RECOMMENDED ACTION: We recommend the Board approve this action

Motion Made: Board Member Negra
Seconded: Board Member Isenhour

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

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

None

OTHER ISSUES

None

CITIZEN COMMENT/BUSINESS FROM THE FLOOR

None

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NEXT BOARD MEETING

The next meeting of the PLCB will be a formal meeting on Wednesday, September 1, 2021 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 Isenhour, the meeting was adjourned.

The foregoing actions are hereby officially approved.

Chairman

Member

Member

ATTEST:

Secretary