

PENNSYLVANIA LIQUOR CONTROL BOARD

MEETING MINUTES

[Watch the meeting video.](#)

NORTHWEST OFFICE BUILDING, CONFERENCE ROOM 117, HARRISBURG, PA MICROSOFT TEAMS MEETING

Tim Holden, Chairman
Mike Negra, Board Member
Mary Isenhour, Board Member
Michael Demko, 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 Selection](#)
[Financial Report](#)
[Other Issues](#)

PUBLIC MEETING – 11:00 A.M

CALL TO ORDER *Chairman Holden*

Pledge of Allegiance to the Flag

Board Secretary Michael Vigoda indicated that a quorum of the Board was present, and Chairman Tim Holden called the meeting to order.

OLD BUSINESS.....*Secretary Vigoda*

A. Motion to approve previous Board Meeting Minutes of the October 5, 2022 meeting.

Motion Made: Board Member Isenhour
Seconded: Board Member Negra

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

PUBLIC COMMENT

The Board has reserved 10 minutes for public comment. There were no comments.

NEW BUSINESS

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

(1) Scott Township (22-NE-09)

Municipal Petition for Exemption from
Liquor Code Statute Regarding
Amplified Sound

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

Motion Made: Board Member Isenhour
Seconded: Board Member Negra

Board Decision: Unanimously agreed (3-0 vote) to approve noise exemption from October 19, 2022 through October 19, 2023.

- (2) City of Erie (22-NE-10) Municipal Petition for Exemption from Liquor Code Statute Regarding Amplified Sound

Motion Made: Board Member Isenhour
Seconded: Board Member Negra

Board Decision: Unanimously agreed (3-0 vote) to approve noise exemption from October 19, 2022 through October 19, 2027.

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

- (1) **Casa Blanca Restaurant Corp.** Double Transfer & Request for Dual Employment – Restaurant
R-16286 (LID No. 105293) Case No. 21-9114 **HOLD – 8/31/22 SESSION FOR**
196-198 Hazle Street **CLA**
Wilkes Barre, Luzerne County

Motion Made: Board Member Isenhour
Seconded: Board Member Negra

Board Decision: Unanimously agreed (3-0 vote) to approve the transfer with a Conditional Licensing Agreement and the request for dual employment.

- (2) **CE Communitas – Strip District, LLC** Double Transfer & Request for an Interior Connection with Another Business – Restaurant
R-13320 (LID No. 104502) Case No. 22-9010
2400 Smallman Street
Pittsburgh, Allegheny County

Motion Made: Board Member Isenhour
Seconded: Board Member Negra

Board Decision: Unanimously agreed (3-0 vote) to approve the double transfer and the request for an interior connection with another business.

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

- (3) **Mindful Ventures, LLC** Renewal – Brewery
G-381 (LID No. 69329) Case No. 22-9024
117-121 Chestnut Street
Philadelphia, Philadelphia County

Motion Made: Board Member Isenhour

Chairman Holden asked if there was anyone in the listening audience who had any comments. There were no representatives in the queue or in person to speak on behalf of Mindful Ventures, LLC.

Seconded: Board Member Negra

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

- (4) **Newbolds Brew, LLC** Renewal – Eating Place Malt
t/a Brew Beverage
E-4043 (LID No. 61714) Case No. 22-9009
1900 South 15th Street
Philadelphia, Philadelphia County

Motion Made: Board Member Isenhour

Chairman Holden asked if there was anyone in the listening audience who had any comments. There were no representatives in the queue or in person to speak on behalf of Newbolds Brew, LLC.

Seconded: Board Member Negra

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

- (5) **Shaner Investments Lock Haven Hotel, LP** Renewal – Hotel
t/a Fairfield Inn & Suites
H-6477 (LID No. 71291) Case No. 22-9012
50 Spring Street
Lock Haven, Clinton County

Motion Made: Board Member Isenhour

Chairman Holden asked if there was anyone in the listening audience who had any comments. There were no representatives in the queue or in person to speak on behalf of Shaner Investments Lock Haven Hotel, LP.

Seconded: Board Member Negra

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

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

- (6) **Tommy Elder Enterprises, LLC** Appointment of Manager – Eating
t/a Tommy’s Italian Pizzeria & Pub Place Malt Beverage
E-3428 (LID No. 72190) Case No. 22-9075
8476 Route 949
Eldred Township
Sigel, Jefferson County

Motion Made: Board Member Isenhour
Seconded: Board Member Negra

Board Decision: Unanimously agreed (3-0 vote) to hold for Conditional Licensing Agreement.

- (7) **98 John Henry, Inc.** Renewal – District 4
R-9399 (LID No. 54819) Case No. 2022-54819
98 Cricket Ave
Ardmore
Lower Merion Township, Montgomery County

Motion Made: Board Member Isenhour
Seconded: Board Member Negra

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

- (8) **Danfrank Enterprises, LLC** Renewal – District 4
t/a Jack’s Slice
GR-58 (LID No. 70054) Case No. 2022-70054
3400 Tilghman Street
Allentown, Lehigh County

Motion Made: Board Member Isenhour
Seconded: Board Member Negra

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

- (9) **Giacomo’s Ristorante, Inc.** Renewal – District 4
R-1758 (LID No. 28962) Case No. 2022-28962
364-366-368 E Main Street
Norristown, Montgomery County

Motion Made: Board Member Isenhour
Seconded: Board Member Negra

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

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

(10) JJ Beer, LLC Renewal – District 4
D-2982 (LID No. 67515) Case No. 2022-67515
240 S Easton Road
Glenside,
Cheltenham Township, Montgomery County

Motion Made: Board Member Isenhour
Seconded: Board Member Negra

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

(11) MMSA Holdings, Inc. Renewal – District 4
R-20867 (LID No. 64378) Case No. 2022-64378
1996 S 5TH Street
Allentown, Lehigh County

Motion Made: Board Member Isenhour
Seconded: Board Member Negra

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

(12) Nilkanth Corp of PA Renewal – District 9
R-14880 (LID 97843) Case No. 2021-97843
349 S Main Avenue
Scranton, Lackawanna County

HOLD 8/11/22 SESSION

Conditional Licensing Agreement

Motion Made: Board Member Isenhour
Seconded: Board Member Negra

Board Decision: Unanimously agreed (3-0 vote) to approve the renewal with a conditional licensing agreement.

(13) Sai Shyam Corp Renewal – District 9
R-21114 (LID 72323) Case No. 2021-72323
639 Seven Bridge Road
Smithfield Township
East Stroudsburg, Monroe County

HOLD 8/11/22 SESSION

Conditional Licensing Agreement

Motion Made: Board Member Isenhour
Seconded: Board Member Negra

Board Decision: Unanimously agreed (3-0 vote) to approve the renewal with conditional licensing agreement. *

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

* The CLA in question is linked to the license referred to in item (12) Nilkanth Corp of PA, which has some commonality of ownership with Sai Shyam Corp.

(14) Tall Cedars, Inc. Renewal – District 6
R-16689 (LID No. 18140) Case No. 2022-18140
108 Main Street
P.O. Box 136
Donegal, Westmoreland County **Conditional Licensing Agreement**

Motion Made: Board Member Isenhour
Seconded: Board Member Negra

Board Decision: Unanimously agreed (3-0 vote) to approve the renewal with conditional licensing agreement.

(15) Tom’s Pizza Place, Inc. Renewal District 11
R-14271 (LID 65959) Case No. 21-65959
3223 Concord Rd. **HOLD 8/11/22 SESSION**
Aston Township, Delaware County **Conditional Licensing Agreement**

Motion Made: Board Member Isenhour
Seconded: Board Member Negra

Board Decision: Unanimously agreed (3-0 vote) to approve the renewal with conditional licensing agreement.

(16) Trackside Tavern LLC Renewal – District 2
R-13919 (LID 66541) Case No. 2022-66541
118 Main Street
PO Box 244
Mifflin, Juniata County **HOLD 8/11/22 SESSION**
Conditional Licensing Agreement

Motion Made: Board Member Isenhour
Seconded: Board Member Negra

Board Decision: Unanimously agreed (3-0 vote) to approve the renewal with 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 13 personnel actions presented for consideration.

(1) Jennifer Barker – Affirm Removal

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

- (2) Amy Beck – Removal
- (3) Jillian Black – Affirm Removal
- (4) Sabriya Clark – Affirm Removal
- (5) Khadijah Dakar – Affirm Removal
- (6) Rondell Harris – Affirm Removal
- (7) Araj Irvin-Lunsford – Removal
- (8) Michael Lawson – Removal
- (9) Brian Muck – Removal
- (10) Savion Nettles – Affirm Removal
- (11) Shyeka Perry – Affirm Removal
- (12) Jane Wagner – Affirm Removal
- (13) Nicholas Wynder – Affirm Removal

Motion Made: Board Member Isenhour

Board Member Negra stated he could not second the motion as there was one instance in the recommendation that he disagreed with and thus he would not second this agenda item as presented.

Chairman Holden stated that he seconded the motion in its entirety and noted that the record would reflect Board Member Negra’s vote in the negative.

Seconded: Chairman Holden

Board Decision: Agreed (2-1 vote) to accept all Personnel Actions.

*From the Bureau of Accounting & Purchasing Michael Demko, Executive Director
Koppolu Ravindraraj, Director, Bureau of Accounting & Purchasing
Mike Freeman, Director, Bureau of Financial Management & Analysis*

Procurement Actions:

- (1) **Laptop and PC Replacement** - Due to the pandemic and emergency requests for additional notebooks for those now working remotely, our PC life-cycle replacement schedule was severely disrupted. Notebooks were issued to fill gaps that did not exist previously. This procurement will begin to reverse that and replace aging PC equipment as originally scheduled. We intend to replace

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

16 each G1 Series HP notebooks (greater than six years old), 7 each G2 Series HP notebooks (also greater than six years old), 87 each G3 Series HP notebooks (five years old), and 40 each Lenovo mini desktop PCs (six years old).

Procured via DGS Contract #4400017908 – VENDOR: **HP Inc. –\$210,600.00 estimated cost.**

- (2) **Lane 8000 Standard PIN Pads** – This purchase is for 1,075 Ingenico Lane 8000 Standard Model PIN pads which will be deployed to all stores. This includes 20 for training sites, 30 spares for SSCs and 5 for the labs. The prior order was for 500 PIN pads.

Procured via DGS Contract #4400016084 – VENDOR: **First Data Merchant Services LLC - \$698,750.00 estimated cost (1,075 @ \$650.00).**

- (3) **iSC250 PIN Pads** - This purchase is to replace broken and non-functioning PIN pads for use in all Fine Wine and Good Spirits stores.

Procured via DGS Contract #4400016084 – VENDOR: **First Data Merchant Services LLC - \$135,000 estimated cost (180 @ \$750.00).**

- (4) **WebSphere Commerce Software Support Renewal** - This purchase is for the renewal of WebSphere Commerce Software Support. WebSphere is used for the Fine Wine and Good Spirits E-Commerce site. This includes both the standard and cloud options. This support package is mission critical to our current operations. Without this software functioning properly, the Agency would not be able to maintain an E-Commerce presence.

Procured via DGS Contract #4400020751 – VENDOR: **Insight Public Sector – TERM: Eight months for period 11/1/2022 through 6/30/2023 - \$173,171.64 estimated cost.**

- (5) **Oracle Hypercare Services** – This procurement action is to reimburse Oracle for 72 total days of additional Hypercare services provided between the dates of February 5, 2022 through February 28, 2022 and April 27, 2022 through June 14, 2022.

Procured via Settlement Agreement – VENDOR: **Oracle America, Inc. - \$383,999.76 estimated cost.**

Inter-Agency Charges:

- (1) **Office of Administration – Enterprise Solutions 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 the Commonwealth’s eGrants platform. This is the third annual support payment, which was established as part of the Memorandum of Understanding (MOU) between DCED and the PLCB. The MOU covers the terms and conditions for the collaborative project to modify DCED’s existing eGrants solution to accommodate all PLCB grant programs. This year the eGrant application was transferred from DCED over to OA Enterprise Solutions and subsequent billing will be incorporated into OA’s IT Shared Services billings.
- (2) **Department of General Services (DGS) Vehicle Leases (Job 35)** – August’s billing to reimburse DGS \$50,131.23 for JULY/2022 vehicle leases in accordance with Management Directive 615.3. This billing is for the 101 vehicles leased by the PLCB and includes the monthly lease costs for Telematic

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

(GPS) devices. This billing also includes a \$2,970 annual administrative charge for the 54 vehicles (\$55 each) that are owned by the PLCB.

- (3) **Office of Administration – HR Shared Services** – Billing of \$924,000 for FY 2022-23 Q2 for the PLCB’s allocated share of OA’s HR-Enterprise Services (HR service center, training, labor relations, employee benefits, SEAP, etc.). The billing is allocated based on the agency’s number of benefit eligible employees (BEEs). The PLCB’s count of 5,417 “BEEs” represents 7.0% of the total 77,333 “BEEs” covered by OA.

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 Isenhour
Seconded: Board Member Negra

Board Decision: Unanimously agreed (3-0 vote) to accept all Procurement Actions and Inter-Agency Charges.

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

- (1) **#0295 – Great Valley Mart, 355 Lincoln Way, North Versailles Amendment**
- (2) **#3002 – Brodak Commons, 554 South 88 Road, Carmichaels Amendment**
- (3) **#2223 – Meadows Market Place, 261 Hershey Road, Hummelstown Amendment**

Motion Made: Board Member Isenhour
Seconded: Board Member Negra

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

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

VENDOR – ITEM NAME

BOARD ACTION REQUESTED

Various
Various

- 1. Regular PA New Items Accepted
- 2. Regular Recommended Delist

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

1. Regular PA New Items Accepted

<u>BRAND NAME AND SIZE</u>	<u>REASON</u>
<u>Federal Distilling</u>	
Surfside Iced Tea and Lemonade Vodka Cocktail 12x355 mL Cans	16
Surfside Lemonade Vodka Cocktail 12x355 mL Cans	16
Surfside Vodka Cocktail Variety Pack 8x355 mL Cans	16

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

2. Regular Recommended Delist

<u>BRAND NAME AND SIZE</u>	<u>CODE</u>
<u>MHW LTD</u>	
Twisted Whipz Party Pack Butterscotch and Vanilla 4x25 mL	97767
Twisted Whipz Party Pack Chocolate and Vanilla 4x25 mL	97768
Twisted Whipz Party Pack Raspberry and Vanilla 4x25 mL	97769

EFFECTIVE DATE: The transference to closeout will become effective November 18, 2022

Motion Made: Board Member Isenhour

Seconded: Board Member Negra

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

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

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

None

OTHER ISSUES

Pennsylvania Wine Marketing and Research Board & Pennsylvania Malt and Brewed Beverages Industry Promotion Board.....Elizabeth Brassell, Director of Policy and Communications

Act 39 of 2016 created the Pennsylvania Malt and Brewed Beverages Industry Promotion Board and expanded the Pennsylvania Wine Marketing and Research Board, authorizing the PLCB to approve up to \$1 million annually in grants for development and marketing of the Pennsylvania wine industry, and another \$1 million in grants for the Pennsylvania beer industry. The Pennsylvania Wine Marketing & Research Board and the Pennsylvania Malt and Brewed Beverages Industry Promotion Board, through the Department of Agriculture, have recommended a number of grant projects for PLCB funding. The projects are intended to enhance the Pennsylvania wine and beer industries through promotion, marketing and research initiatives, as well as increase production of Pennsylvania-made beers and wines.

Does the Board approve funding of these grant projects?

Director of Policy and Communications Elizabeth Brassell summarized the proposal presented to the Board for approval, consisting of 21 projects totaling nearly \$1.8 million dollars. These projects include: 9 wine grant proposals totaling \$990,662.00 and 12 beer grant proposals totaling \$798,262.00. A number of the grants are for university research projects, also tourism projects that would be awarded to local tourism boards, TV and written storytelling via various media outlets, and finally industry group promotion and advertising on the wine side.

Board Member Isenhour thanked Ms. Brassell and the staff involved in making these recommendations to the Board. She also thanked the Pennsylvania Wine Marketing and Research Board & the Pennsylvania Malt and Brewed Beverages Industry Promotion Board and moved to approve the funding of these grant projects.

Motion Made: Board Member Isenhour

Board Member Negra asked Ms. Brassell when will the individual grants be publicized to the individual groups?

Ms. Brassell replied that the individual applicants should receive notice today (October 19th, 2022). She also stated the office planned on making a public announcement of the approved grants today. Finally, she said that she believed that Stacy Rineer in the Office of Chief Counsel was ready to begin executing the grant agreements this week and they would become effective in 2023.

Board Member Negra agreed with Board Member Isenhour in her praise of the staff and of the boards who have assisted in getting to this point and stated that he happily seconded the motion.

Seconded: Board Member Negra

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

Chairman Holden echoed the sentiments and concluded the unanimous vote to approve the proposal.

Board Decision: Unanimously agreed (3-0 vote) to approve funding for grants as recommended by the Pennsylvania Wine Marketing and Research Board and Pennsylvania Malt and Brewed Beverages Industry Promotion Board.

Transfer to General Fund.....Michael Demko, Executive Director

The Office of Budget requests a transfer of one hundred million dollars (\$100,000,000) in the month of November 2022 from the State Stores Fund to the General Fund. The Finance team will schedule when this transfer will occur.

The transfer of this prescribed amount of \$100,000,000 will be processed as authorized in Expenditure Symbol Notification Number 22-012.

Motion Made: Board Member Isenhour
Seconded: Board Member Negra

Board Decision: Unanimously agreed (3-0 vote) to approve the transfer of \$100,000,000 to the General Fund.

PUBLIC COMMENT

The Board has reserved 10 minutes for public comment. There were no comments.

SPECIAL PRESENTATION:

Chairman Holden extended his sentiments to his friend, Board Member Negra and stated that it has been a pleasure working and joking with him for the past 8 years. He will be missed as he has done a heck of a job. Mary had some comments that she said to Negra that Holden would not steal. It has been a pleasure, Mike brought his mind to the game, he was engaged and effective, able to compromise and work together. He will be missed, it has been an honor and a privilege to have him as a member and he would like Mike to keep in touch.

Board Member Isenhour extended her sentiments to Board Member Negra and stated that the times he challenged her, it was always in a good way and she learned a lot and appreciated him. The times that they disagreed they became well versed in reaching a compromise and that is appreciated. He will be missed sincerely and wholeheartedly. Mike’s commitment in making the agency/organization better was never doubted. She finished by saying she hoped to see him again and extend warm wishes to Mike and Wanda.

Executive Director Michael Demko extended his sentiments to Board Member Negra and thanked him for his service and dedication over the last 8 years. Mr. Demko thanked him personally for interviewing and recommending him for his acceptance into the agency. Mr. Demko also thanked him on behalf of the PLCB for his commitment, leadership, and service.

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

Board Member Negra extended his sentiments to the Board and thanked everyone for their kind words. He stated it was bittersweet. He wished he could attend the meeting in person (he was calling in via phone) and this was not how he hoped to end his tenure; however, health prevented him from being in attendance. He apologized and expressed that it had been a great 8 years, he appreciated the tutoring he received. It allowed him to learn the agency. He thanked his fellow board members Tim Holden, Mary Isenhour, Michael Newsome, Skip Brion, Bob Marcus and said that they had helped him get involved. They understood that he cared and without knowledge, he couldn't have the impact he wanted to.

He reminisced about what Bob Marcus told him, "He could be as involved or uninvolved in the agency as he wanted". He stated he opted to be more involved and expressed how proud he was of their accomplishments, even though everything was not accomplished (for example, the website). Rome wasn't built in a day. He continued to say that he had not encountered anyone who was rude or uninvolved in the agency or didn't want to make the agency better. Everyone gave 100%. He developed relationships with the buyers and category managers, Licensing and Legal. Tisha Albert, Rod Diaz, and everyone else had been fabulous to him. Everyone will be missed; he had made lifelong friends and he would remain connected with everyone in the agency. He expressed appreciation from himself, the licensing community, individuals who needed help, and said that the customer service is fabulous. He also wished his replacement all of the best in moving the PLCB forward.

NEXT BOARD MEETING

The next meeting of the PLCB will be a formal meeting on Thursday, November 10, 2022 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