

# PENNSYLVANIA LIQUOR CONTROL BOARD

## MEETING MINUTES [Watch the video recording.](#)

WEDNESDAY, MARCH 22, 2023

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

Tim Holden, Chairman  
Mary Isenhour, Board Member  
Randy Vulakovich, 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 Holden called the meeting to order.

**OLD BUSINESS**..... *Secretary Vigoda*

A. Motion to approve previous Board Meeting Minutes of the March 1, 2023 meeting.

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich

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

### **PUBLIC COMMENT**

None

### **NEW BUSINESS**

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

(1) **Las Bugambillas, Inc.**  
146-148 South Street  
Philadelphia, Pennsylvania 19147-2415  
Restaurant Liquor License No. R-5588  
LID 59322, Docket No. 221000877  
(Philadelphia County)

Proposal to Allow for the  
Renewal of the Liquor License

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

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich

Board Member Isenhour indicated that the Board had previously disapproved renewal of the license because of tax clearance issues. She then explained that the tax clearance matter had been settled.

**Board Decision:** Unanimously agreed (3-0 vote) to allow for the renewal of the license.

- (2) **Christopher R. Yerger** ALJ Appeal  
**t/a Still Playin**  
655 Route 61  
Orwigsburg, PA 17961-2231  
License No. R-10301/LID 96635  
Citation No. 21-0219

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich

**Board Decision:** Unanimously agreed (3-0 vote) to affirm the ALJ's decision and remand the case to the ALJ to ensure compliance.

- (3) **Christopher R. Yerger** ALJ Appeal  
**t/a Still Playin**  
655 Route 61  
Orwigsburg, PA 17961-2231  
License No. R-10301/LID 96635  
Citation No. 21-0302

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich

**Board Decision:** Unanimously agreed (3-0 vote) to affirm the ALJ's decision and remand the case to the ALJ to ensure compliance.

- (4) **Christopher R. Yerger** ALJ Appeal  
**t/a Still Playin**  
655 Route 61  
Orwigsburg, PA 17961-2231  
License No. R-10301/LID 96635  
Citation No. 21-0401

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

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich

**Board Decision:** Unanimously agreed (3-0 vote) to affirm the ALJ's decision and remand the case to the ALJ to ensure compliance.

- (5) **Christopher R. Yerger** ALJ Appeal  
**t/a Still Playin**  
655 Route 61  
Orwigsburg, PA 17961-2231  
License No. R-10301/LID 96635  
Citation No. 21-0530

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich

**Board Decision:** Unanimously agreed (3-0 vote) to affirm the ALJ's decision and remand the case to the ALJ to ensure compliance.

- (6) **Christopher R. Yerger** ALJ Appeal  
**t/a Still Playin**  
655 Route 61  
Orwigsburg, PA 17961-2231  
License No. R-10301/LID 96635  
Citation No. 19-0943C

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich

**Board Decision:** Unanimously agreed (3-0 vote) to affirm the ALJ's decision and remand the case to the ALJ to ensure compliance.

- (7) **CDAX, Inc.** ALJ Appeal  
**t/a Keystone Motel**  
4880 West Lincoln Highway  
Parkesburg, PA 19365-0501  
License No. H-5815/LID 61324  
Citation No. 21-0717

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich

**Board Decision:** Unanimously agreed (3-0 vote) to affirm the ALJ's decision and remand the case to the ALJ to ensure compliance.

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

(8) **Cala Lily, Inc.** ALJ Appeal  
**t/a Cala Lily Cafe**  
500 Grandview Crossing Drive  
Suite 20  
Gibsonia, PA 15044  
License No. R-6709/LID 47269  
Citation No. 21-0183

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich

**Board Decision:** Unanimously agreed (3-0 vote) to affirm the ALJ’s decision and remand the case to the ALJ to ensure compliance.

(9) **Brian E. Muck vs PLCB** Settlement of Appeal  
Appeal No. 31029

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich

Chief Counsel Rodrigo Diaz indicated that discussion of this agenda item would need to be very limited since it involved a personnel matter. He subsequently affirmed that the proposal before the Board would resolve the appeal.

**Board Decision:** Unanimously agreed (3-0 vote) to settle the matter.

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

(1) **Iaccarino, Inc.** Renewal & Validations -  
**t/a Dino’s Wings & Things** Restaurant  
R-15797 (LID No. 67863) Case No. 22-9018  
5306 Allentown Pike  
Muhlenberg Township  
Temple, Berks County

**Motion Made:** Board Member Isenhour

After Board Member Isenhour noted compliance issues involving other agencies, Chairman Holden asked if there was anyone representing Iaccarino, Inc. who wished to be recognized. There was no response.

**Seconded:** Board Member Vulakovich

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

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

- (2) **Last Minit Mart, Inc.** Appointment of Manager –  
**t/a Last Minit Mart #12** Restaurant  
R-2945 (LID No. 96604) Case No. 22-9112 **HOLD – 1/25/23 SESSION**  
1010 Wilmington Road  
New Castle, Lawrence County

Board Secretary Vigoda made the following statement regarding this agenda item:

*At the session of January 25, 2023, the Board put the subject application for appointment of manager filed in conjunction with Restaurant Liquor License R-2945 on hold.*

*In the meantime, the manager application reflecting the appointment of Marcus R. Schultz has been withdrawn on January 26, 2023. Therefore, no decision by the Board is needed.*

- (3) **Priya Foods, LLC** “Intermunicipal” Double Transfer  
**t/a Friendly Food Mart II** & Request for Interior  
R-18965 (LID No. 108072) Case No. 22-9022 Connections with Another  
3 Stock Street Business – Restaurant  
Nesquehoning, Carbon County

**Motion Made:** Board Member Isenhour

Chairman Holden asked if there was anyone representing Priya Foods, LLC who wished to be recognized. There was no response.

**Seconded:** Board Member Vulakovich

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

- (4) **Ripleigh’s, LLC** New & Request for an Interior  
**t/a Ripleigh’s Creamery** Connection with Other Businesses  
(LID No. 113854) – Limited Distillery  
200 South 4<sup>th</sup> Street  
McSherrystown, Adams County

**Motion Made:** Board Member Isenhour

**Seconded:** Board Member Vulakovich

**Board Decision:** Unanimously agreed (3-0 vote) to approve the new limited distillery license and request for interior connection with other businesses.

- (5) **The Woodbine Club** Double Transfer – Catering Club  
CC-6179 (LID No. 98053) Case No. 21-9039  
1637-39 East Passyunk Avenue  
Philadelphia, Philadelphia County

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

**Motion Made:** Board Member Isenhour

Chairman Holden asked if there was anyone representing The Woodbine Club who wished to be recognized. There was no response.

**Seconded:** Board Member Vulakovich

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

- (6) **Post 162 A.M.D.G. Catholic War Veterans of Philadelphia, PA** Stipulation – Catering Club  
CC-6179 (LID No. 2794)  
9859 Bustleton Avenue  
Philadelphia, Philadelphia County  
(Citation Nos. 13-2306 & 16-0826)

Board Secretary Vigoda indicated that the above agenda item was rendered moot upon the refusal of the transfer involving The Woodbine Club.

- (7) **205-209 LL, LLC** Renewal – District 10  
R-6753 (LID No. 80701) Case No.  
205-09 Race St #102  
Philadelphia, Philadelphia County

**Motion Made:** Board Member Isenhour

**Seconded:** Board Member Vulakovich

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

- (8) **562-66 South 19<sup>th</sup>, Inc.** Renewal – District 2  
**t/a Double D Neighborhood Bar & Grill**  
R-5634 (LID No. 38818) Case No. 2022-38818 **HOLD 1/11/23 SESSION**  
562-66 S 19th St  
Harrisburg, Dauphin County

Board Secretary Vigoda indicated that Attorney Frank Sluzis wished to speak about this agenda item.

Attorney Sluzis provided the license number of R-5634 for the record as it was not indicated on the Board Agenda.

Attorney Sluzis stated that his client had been operating under a conditional licensing agreement with relatively stringent requirements pertaining to security personnel prior to restrictions related to the COVID-19 disaster emergency becoming effective. He continued presenting his client's operational history, including the fact that a single citation related to the COVID-19 disaster emergency had been issued, until Chief Counsel Diaz interjected a reminder to all those present that a public hearing regarding this matter had already taken place.

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

After Chairman Holden attempted to seek clarification with regard to the types of restrictions to which Mr. Sluzis's client might adhere, Chief Counsel Diaz advised the Board that Attorney Sluzis was essentially requesting that his client's license be renewed with a conditional licensing agreement which would be less restrictive than the existing agreement. Chief Counsel Diaz then explained that, in addition to refusing or approving the renewal along with a potential conditional licensing agreement amendment, the Board could decide to hold a decision regarding the matter in abeyance.

Chairman Holden indicated that he personally would be unlikely to approve renewal with fewer restrictions in this situation. He then made a motion to put this matter on hold if Mr. Sluzis was willing to submit the conditions his client would accept in writing. Board Member Isenhour expressed sentiments similar to those of Chairman Holden with regard to the possibility of fewer restrictions and also stated that negotiation of conditions should take place outside of the meeting.

**Motion Made:** Chairman Holden  
**Seconded:** Board Member Isenhour

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

- (9) **2729, Inc.** Renewal – District 10  
E-283 (LID No. 47820) Case No. 2020-47820  
2729 W Girard Ave  
Philadelphia, Philadelphia County

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich

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

- (10) **Almost Home In Nanty Glo, LLC** Renewal – District 5  
R-2426 (LID No. 97739) Case No. 2021-97739  
997 1st St  
Nanty Glo, Cambria County

**HOLD 3/1/23 SESSION**  
**Conditional Licensing Agreement**

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich

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

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

- (11) **Barking Shark, Inc.** Renewal – District 5  
**t/a Barking Shark**  
R-6594 (LID No. 61882) Case No. 2021-61882  
616 North Ave  
Millvale  
Pittsburgh, Allegheny County
- Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich
- Board Decision:** Unanimously agreed (3-0 vote) to hold for a conditional licensing agreement.
- (12) **Bartonsville Inn & Suites, LLC** Renewal – District 9  
**t/a Hampton Inn & Suites**  
H-6481 (LID No. 71397) Case No. 2021-71397  
700 Commerce Blvd  
Stroud Township  
Stroudsburg, Monroe County
- Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich
- Board Decision:** Unanimously agreed (3-0 vote) to hold.
- (13) **Chun 7129, Inc.** Renewal – District 10  
E-3858 (LID No. 62091) Case No. 2020-62091  
2501 W Sterner St  
Philadelphia, Philadelphia County
- Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich
- Board Decision:** Unanimously agreed (3-0 vote) to approve the renewal.
- (14) **David M Foradori** Renewal – District 7  
**t/a Main Street Bar**  
R-13508 (LID No. 49716) Case No. 2021-49716  
301 Main St  
Reynoldsville, Jefferson County
- Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich
- Board Decision:** Unanimously agreed (3-0 vote) to approve the renewal.



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

- (15) **Falkers, LLC** Renewal – District 5  
**t/a Falker Tavern**  
R-14355 (LID No. 72475) Case No. 2021-72475 **HOLD - 6/22/22 SESSION**  
415 St Clair Avenue  
Clairton, Allegheny County **Conditional Licensing Agreement**
- Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich
- Board Decision:** Unanimously agreed (3-0 vote) to approve the renewal with a conditional licensing agreement.
- (16) **Italian-American Club of Olyphant PA** Renewal – District 9  
C-2881 (LID No. 1430) Case No. 2021-1430  
101 Garfield Ave  
Olyphant, Lackawanna County
- Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich
- Board Decision:** Unanimously agreed (3-0 vote) to approve the renewal.
- (17) **J B Beer Distributor, Inc.** Renewal – District 6  
**t/a Carmichaels Beer Distributor**  
D-3967 (LID No. 58463) Case No. 2022-58463 **HOLD 3/1/23 SESSION**  
558 Rte 88  
Carmichaels, Greene County **Conditional Licensing Agreement**
- Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich
- Board Decision:** Unanimously agreed (3-0 vote) to approve the renewal with a conditional licensing agreement.
- (18) **Legends Valley at Best Station Hotel, LLC** Renewal – District 4  
H-4784 (LID No. 96616) Case No. 2022-96616 **HOLD 1/11/23 SESSION**  
4425 Best Station Rd  
Washington Township  
Slatington, Lehigh County **Conditional Licensing Agreement**
- Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich
- Board Decision:** Unanimously agreed (3-0 vote) to approve the renewal with a conditional licensing agreement.

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

- (19) **SAP Investments, LLC** Renewal – District 4  
R-12916 (LID No. 72725) Case No. 2022-72725  
591 Perry Rd  
Perryopolis, Fayette County

**HOLD 3/1/23 SESSION**  
**Conditional Licensing Agreement**

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich

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

- (20) **Schwab Enterprises, Inc.** Renewal – District 6  
**t/a Oklahoma Inn**  
R-8814 (LID No. 64036) Case No. 2022-64036  
1544 Hancock Ave  
Oklahoma  
Apollo, Westmoreland County

**HOLD 1/25/23 SESSION**  
**Conditional Licensing Agreement**

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich

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

- (21) **Sugar Lake Hotel and JI's Place, LLC** Renewal – District 7  
**t/a Sugar Lake Hotel**  
H-44164 (LID No. 100555) Case No. 2021-100555  
7308 Sugar Lake Rd  
Wayne Township  
Cochranton, Crawford County

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich

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

- (22) **Tomato Bar, Inc.** Renewal – District 8  
**t/a Tomato Bar**  
R-13103 (LID No. 66378) Case No. 2022-66378  
7 Tomato Festival Dr  
Pittston, Luzerne County

**HOLD 3/1/2023 SESSION**  
**Conditional Licensing Agreement**

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich

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

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

**(23) Twinnings Table LLC**  
R-17320 (LID No. 83547) Case No. 2022-83547  
2001 Main St  
Penn Township  
Claridge, Westmoreland County

Renewal – District 6

**HOLD 1/11/23 SESSION**

**Conditional Licensing Agreement**

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich

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

**(24) Williamsport Hospitality Group, LLC**  
**t/a Clinton Country Club**  
PGR-277 (LID No. 5357) Case No. 2021-5357  
P.O. Box 436  
Bald Eagle Township  
Lockhaven, Clinton County

Renewal – District 7

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich

**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 23 personnel actions presented for consideration.

- (1) Grover Behanna – Removal
- (2) Cassandra Brockington – Removal
- (3) Jennifer Brown – Affirm Removal
- (4) Amelia Cason – Affirm Removal
- (5) Michael Chernosky – Affirm Removal
- (6) DeeAnn Clark – Removal
- (7) Dayonna Hall - Removal
- (8) Dwayne Hill – Affirm Removal
- (9) Frank Jimenez – Affirm Removal

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

- (10) Samirah Johnson – Affirm Removal
- (11) Tonna Johnson – Affirm Removal
- (12) William Johnson – Removal
- (13) Michael Jordan - Removal
- (14) Thanga Karunanidhi – Affirm Removal
- (15) Jewell Ledbetter – Removal
- (16) Christopher Morton – Affirm Removal
- (17) Silas Peterson – Affirm Removal
- (18) Danna Pollard – Removal
- (19) Ryan Signor - Removal
- (20) Emma Simon – Affirm Removal
- (21) Aaron Stone – Affirm Removal
- (22) Harold Williams – Affirm Removal
- (23) Jordan Yellenic - Removal

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich

**Board Decision:** Unanimously agreed (3-0 vote) to approve the recommendations from the Bureau of Human Resources.

*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) **NWOB Snow Removal and Salting Services** – Provide snow plowing, removal, and salting services for the PLCB’s eight parking lots.

Provided via IFB #270012 – **VENDOR: Paul A. Carlevale** – **TERM:** One year for period 5/1/2023 through 4/30/2024 - **\$150,000 estimated cost.**

- (2) **Enterprise Contact Center System** – Genesys is the Agency call center provider servicing the internal Help Desk, SO, Consumer Relations, LOOP, and Licensing.  
Procured via DGS Contract #4400015717 – **VENDOR: Genesys Cloud Services** – **TERM:** One year for period 7/1/2023 through 6/30/2024 - **\$176,611.50 estimated cost.**

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

Inter-Agency Charges:

- (1) **Integrated Enterprise System (IES) Billing (Job 920)** – The Executive Office’s FY 2022-23 annual billing of \$2,159,325.21 is for the PLCB’s estimated share of costs for the Commonwealth’s integrated ERP system (SAP). The billing is \$242,762 (+12.7%) more than last year and includes a \$77 thousand credit for the true-up for FY 2021-22 charges.
- (2) **Office of Comptroller Operations** – Billing of \$1,734,803.07 for the second quarter of FY 2022-23 from the Office of Comptroller Operations. The billing for actual October, November and December services was \$86,992.33 less (-4.8%) than the billing for last year’s Q2 services. FY 2022-23 YTD billings total \$2.78 million or \$35 thousand (-1.3%) less than last year.
- (3) **Office of Administration – IT Shared Services** – Billing of \$516,100 for the FY 2022-23 Q3 estimate for OA’s IT Enterprise Technology Essential Services. The PLCB’s YTD billings are \$2.14M or \$810K (-27.4%) lower than the last years billings, primarily due the FY 2021-22 true-up credit of \$243 thousand.

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 Vulakovich

**Board Decision:** Unanimously agreed (3-0 vote) to approve the recommendations from the Bureau of Accounting & Purchasing.

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

- (1) **#0410 – Aliquippa Shopping Center, 2719 Brodhead Road, Suite 13, Aliquippa Amendment**
- (2) **#2107 – 3760 Market Street, (Hampden Township) Camp Hill Amendment**
- (3) **#2332 – Lawrence Park Shopping Center, 1991 Sproul Road, Broomall Amendment**
- (4) **#2520 – Imperial Point Plaza, 9135 Ridge Road, Girard Amendment**
- (5) **#2803 – Greencastle Market Place, 512 North Antrim Way, Greencastle Amendment**
- (6) **#4806 – 34 South Broad Street, Nazareth Amendment**
- (7) **#4902 – The Plaza at Coal Township, 9345 State Route 61, Coal Township Amendment**

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

- (8) **#9208 – 125 Towne Centre Drive, Ste. 500, Wexford  
Amendment**
- (9) **#51XX – 2500 Snyder Avenue, Philadelphia  
(Relocation of Philadelphia Licensee Service Center #5103)**

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich

**Board Decision:** Unanimously agreed (3-0 vote) to approve the recommendations from the Office of Retail Operations.

*From the Bureau of Product Selection .....Tom Bowman, Director of Product Selection*

**VENDOR – ITEM NAME**

**BOARD ACTION REQUESTED**

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

- |         |  |
|---------|--|
| Various | 1. Regular New Items Accepted                          |
| Various | 2. Regular New Items Accepted Revision<br>Board 2-8-23 |
| Various | 3. Regular New Items Accepted Revision Board<br>3-1-23 |
| Various | 4. Regular PA New Items Accepted                       |
| Various | 5. Regular Recommended Delist                          |

**1. Regular New Items Accepted**

**BRAND NAME AND SIZE**

**REASON**

**Capital Wine and Spirits Inc**

- |                                  |    |
|----------------------------------|----|
| Arado Rose Mendoza 750 mL        | 18 |
| Parini Prosecco Rose Brut 750 mL | 18 |

**Jackson Family Wines**

- |                              |    |
|------------------------------|----|
| First Pick Chardonnay 750 mL | 18 |
|------------------------------|----|

**North Wales Wines**

- |                                   |    |
|-----------------------------------|----|
| Liqs Hard Lemonade Cocktail 1.5 L | 18 |
|-----------------------------------|----|

**Regal Wine Imports**

- |                            |    |
|----------------------------|----|
| Quadrum Box Rose Blend 3L  | 18 |
| Quadrum Box White Blend 3L | 18 |

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

**The Wine Merchant Ltd**

Kuranui Sauvignon Blanc Marlborough 750 mL 18

**ViVino Selections**

Il Casato Red Blend 750 mL 18

Intuition Cotes du Rhone Red Blend 750 mL 18

Les Carrieres de Mezy Sancerre Cuvee de la Reserva Sauvignon Blanc 750 mL 18

Rose d'Madeleine Rose Red Blend 750 mL 18

Torre Oria Pinot Noir Rose 750 mL 18

RECOMMENDED ACTION: We recommend the Board approve this action

**2. Regular New Item Accepted Revision Board 2-8-23**

**BRAND NAME AND SIZE** **REASON**

**PRICING**

**Zonin USA Inc**

Zonin Prosecco Brut Cuvee 1821 Nonvintage Veneto 187 mL 18

**NOTE: Sent to Board 2-8-23 with incorrect cost**

RECOMMENDED ACTION: We recommend the Board approve this action

**3. Regular New Items Accepted Revision Board 3-1-23**

**BRAND NAME AND SIZE** **REASON**

**RESCIND**

**Sazerac Company Inc**

99 Pink Lemonade Liqueur 50 mL 1, 2, 3

Fireball Golf Club Birdie Shot Multipack 10x50 mL 1, 2, 8

Paul Masson Grande Amber Brandy 50 mL 1, 2

**NOTE: Sent to board 3-1-23 as new items, should be OTB**

RECOMMENDED ACTION: We recommend the Board approve this action

**4. Regular PA New Item Accepted**

**BRAND NAME AND SIZE** **REASON**

**Rectified Spirits LLC**

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

Fishtown Iced Tea Cocktail Cans 4x355 mL

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

**5. Regular Recommended Delist**

<b><u>BRAND NAME AND SIZE</u></b>	<b><u>CODE</u></b>
<b><u>Capital Wine and Spirits</u></b>	
Riunite FruitFreshers Black Cherry 750 mL	97775
Riunite FruitFreshers Peach Rosehip 750 mL	97776
Riunite FruitFreshers Strawberry Bellini 750 mL	97774
Scandalous One Cabernet Noir 750 mL	97565
<b><u>Delicato Vineyards LLC</u></b>	
Bota Brick RedVolution 1.5 L	2069
<b><u>Eight Oaks Craft Distillery Company</u></b>	
Eight Oaks Farm Distillery Applejack 750 mL	97831
<b><u>Monsieur Touton</u></b>	
Chateauxvieux Rose d'Anjou 750 mL	882
<b><u>North Wales Wines</u></b>	
Gallo Livingston Cellars Merlot 3 L	5435
<b><u>Southern Glazers Wine and Spirits of PA</u></b>	
Citra Montepulciano D'Abruzzo 1.5 L	6762
Gosling's Dark N Stormy Cocktail 4x250 mL Cans	83738
Sforno Malbec Mendoza 750 mL	97536



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

**Sutter Home Winery**

California Roots Cabernet Sauvignon California 1.5 L	98804
California Roots Pinot Grigio California 1.5 L	98806
California Roots Red Blend California 1.5 L	98807
California Roots Sauvignon Blanc 1.5 L	97837

**The Wine Group**

Crafters Union Red Blend Can 375 mL	436
-------------------------------------	-----

EFFECTIVE DATE: The transference to closeout will become effective April 21, 2023

**Motion Made:** Board Member Isenhour  
**Seconded:** Board Member Vulakovich

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

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

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

**Commonwealth of Pennsylvania  
Pennsylvania Liquor Control Board  
State Stores Fund  
Comparative Statement of Net Position  
(Unaudited)**

<b>ASSETS</b>	<b>January 31, 2023</b>	<b>January 31, 2022</b>
<b>Current assets:</b>		
Cash	\$ 48,849,207	\$ 79,168,754
Investments - short term	314,356,648	277,540,219
Accounts and claims receivable, net	6,785,585	7,903,189
Due from other funds - Note 9	-	-
Merchandise inventories, net	208,976,211	197,714,863
Operating supplies	431,240	468,126
Prepaid expenses	2,376,102	1,169,266
Total current assets	581,774,993	563,964,418
<b>Non-current assets:</b>		
<b>Non-depreciable capital assets:</b>		
Land	322,973	322,973
<b>Depreciable or amortizable capital assets:</b>		
Building	10,820,411	10,711,917
Leasehold improvements	209,134	209,134
Machinery and equipment	53,954,659	47,677,083
Intangible - internally generated software	58,587,903	45,415,065
Intangible - right to use leases - Note 10	375,776,751	351,445,742
Intangible - right to use IT subscriptions - Note 11	20,300,870	-
Less: accumulated depreciation or amortization	223,224,011	150,809,824
Net depreciable or amortizable capital assets	296,425,717	304,649,117
Total non-current capital assets	296,748,690	304,972,090
Total assets	\$ 878,523,683	\$ 868,936,508
Total deferred outflows of resources - Notes 5, 6	\$ 174,801,405	\$ 194,148,047
<b>LIABILITIES</b>		
<b>Current liabilities:</b>		
Trade accounts payable	\$ 344,152,317	\$ 298,698,552
Other accounts payable	27,045,032	24,126,960
Accrued expenses	28,407,698	24,709,788
OPEB - Note 6	-	-
Self-insurance, workers' compensation - Note 7	5,038,908	6,298,715
Due to other funds - Note 9	10,114,918	8,477,374
Due to fiduciary funds - Note 9	3,956,488	3,383,815
Due to other governments - Note 9	1,142,134	970,696
Right to use liabilities - Note 10	62,360,800	55,617,644
Total current liabilities	482,218,295	422,283,543
<b>Non-current liabilities:</b>		
OPEB - Note 6	422,740,000	465,576,000
Self-insurance, workers' compensation - Note 7	45,846,197	62,400,982
Net pension liability - Note 5	381,451,363	472,003,528
Compensated absences - Note 1	26,865,598	25,995,401
Right to use liabilities - Note 10	189,449,675	211,243,863
Total non-current liabilities	1,066,352,833	1,237,219,775
Total liabilities	\$ 1,548,571,128	\$ 1,659,503,318
Total deferred inflows of resources - Notes 5, 6	\$ 320,318,486	\$ 324,074,764
<b>NET POSITION</b>		
Net investment in capital assets	\$ 44,938,215	\$ 38,110,583
Deficit	(860,502,741)	(958,604,110)
Total net position - Note 12	\$ (815,564,526)	\$ (920,493,527)

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

**Commonwealth of Pennsylvania  
Pennsylvania Liquor Control Board  
State Stores Fund  
Comparative Statements of Revenues, Expenses, and Changes in Net Position  
For the Month Ending January 31, 2023 and January 31, 2022  
(Unaudited)**

	<u>2022-23</u>	<u>2021-22*</u>
Sales net of taxes	\$ 171,345,483	\$ 158,646,749
Cost of goods sold	<u>(117,943,640)</u>	<u>(111,128,645)</u>
Gross profit from sales	53,401,843	47,518,104
Operating (expenses):		
Wholesale	(1,642,791)	(1,795,720)
Retail	(28,783,850)	(25,913,622)
E-Commerce	(300,388)	(320,976)
Regulatory	(788,764)	(781,166)
Enterprise	(8,155,426)	(5,479,408)
Commonwealth provided services - Note 2	<u>(1,753,743)</u>	<u>(1,418,577)</u>
Total	<u>(41,424,962)</u>	<u>(35,709,469)</u>
Operating profit/(loss)	11,976,881	11,808,635
Other operating revenues (expenses):		
Enforcement fines	262,068	76,779
License fees	2,482,135	2,558,869
Miscellaneous income	<u>408,771</u>	<u>1,147,479</u>
Total	<u>3,152,974</u>	<u>3,783,127</u>
Total operating income/(loss)	15,129,855	15,591,762
Miscellaneous revenues (expenses):		
Interest income (expense)	352,417	(382,286)
Other	<u>4,777</u>	<u>-</u>
Total	<u>357,194</u>	<u>(382,286)</u>
Income/(Loss) before operating transfers	15,487,049	15,209,476
Operating transfers out:		
PSP enforcement - Note 3	(2,225,851)	(2,364,031)
<b>Net Income/(Loss) from operations</b>	<b>13,261,198</b>	<b>12,845,445</b>
Statutory Transfers:		
General fund - Note 4	-	-
Drug and alcohol programs - Note 4	-	-
Total	<u>-</u>	<u>-</u>
Change in net position	13,261,198	12,845,445
**Total net position - beginning 2022-23 Restated - Note 12	<u>(828,825,724)</u>	<u>(933,338,972)</u>
Total net position - ending	<u>\$ (815,564,526)</u>	<u>\$ (920,493,527)</u>
Liquor tax	31,997,559	28,661,015
State Sales Tax	12,619,574	11,287,229
Local Tax	881,079	704,130
Taxes remitted to Dept.of Revenue PTD	<u>\$ 45,498,212</u>	<u>\$ 40,652,374</u>

\* Certain amounts presented in prior year data have been reclassified in order to be consistent with the current year's presentation. Such reclassifications did not affect Income after enforcement / before other transfers, Change in net position, or Total net position.

\*\*Beginning Net Position was restated from \$(872,154,418) at June 30, 2022 to \$(871,784,479) at July 1, 2022, a \$369,939 increase, due to the implementation of Governmental Accounting Standards Board Statement No. 96 – Subscription Based Information Technology Agreements.

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

**Commonwealth of Pennsylvania  
Pennsylvania Liquor Control Board  
State Stores Fund**

**Comparative Statements of Revenues, Expenses, and Changes in Net Position  
For the Seven Months Ending January 31, 2023 and January 31, 2022  
(Unaudited)**

	<u>2022-23</u>	<u>2021-22*</u>
Sales net of taxes	\$ 1,498,499,463	\$ 1,448,548,349
Cost of goods sold	<u>(1,058,476,632)</u>	<u>(997,348,893)</u>
Gross profit from sales	440,022,831	451,199,456
Operating (expenses):		
Wholesale	(12,635,662)	(13,020,759)
Retail	(202,627,814)	(185,826,071)
E-Commerce	(1,810,988)	(1,901,817)
Regulatory	(6,155,432)	(5,611,568)
Enterprise	(51,858,514)	(42,149,429)
Commonwealth provided services - Note 2	<u>(12,378,722)</u>	<u>(9,975,014)</u>
Total	<u>(287,467,132)</u>	<u>(258,484,658)</u>
Operating profit/(loss)	152,555,699	192,714,798
Other operating revenues (expenses):		
Enforcement fines	1,027,213	600,655
License fees	17,658,367	13,604,263
Miscellaneous income	<u>2,937,553</u>	3,927,888
Total	<u>21,623,133</u>	<u>18,132,806</u>
Total operating income/(loss)	174,178,832	210,847,604
Miscellaneous revenues (expenses):		
Interest income (expense)	533,575	(2,656,656)
Other	<u>60,151</u>	<u>46,420</u>
Total	<u>593,726</u>	<u>(2,610,236)</u>
Income/(Loss) before operating transfers	174,772,558	208,237,368
Operating transfers out:		
PSP enforcement - Note 3	(18,552,605) <u>(18,552,605)</u>	(17,442,557) <u>(17,442,557)</u>
<b>Net Income/(Loss) from operations</b>	<b>156,219,953</b>	<b>190,794,811</b>
Statutory Transfers:		
General fund - Note 4	(100,000,000)	(100,000,000)
Drug and alcohol programs - Note 4	-	-
Total	<u>(100,000,000)</u>	<u>(100,000,000)</u>
Change in net position	56,219,953	90,794,811
**Total net position - beginning 2022-23 Restated - Note 12	<u>(871,784,479)</u>	<u>(1,011,288,338)</u>
Total net position - ending	<u>\$ (815,564,526)</u>	<u>\$ (920,493,527)</u>
Liquor tax	268,706,858	259,672,030
State Sales Tax	105,785,575	102,200,768
Local Tax	6,793,349	6,241,311
Taxes remitted to Dept.of Revenue YTD	<u>\$ 381,285,782</u>	<u>\$ 368,114,109</u>

\* Certain amounts presented in prior year data have been reclassified in order to be consistent with the current year's presentation. Such reclassifications did not affect Income after enforcement / before other transfers, Change in net position, or Total net position.

\*\*Beginning Net Position was restated from \$(872,154,418) at June 30, 2022 to \$(871,784,479) at July 1, 2022, a \$369,939 increase, due to the implementation of Governmental Accounting Standards Board Statement No. 96 – Subscription Based Information Technology Agreements.

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

## **OTHER ISSUES**

None

## **PUBLIC COMMENT**

The Board has reserved 10 minutes for public comment.

Patti Smith from Rock the Capital was recognized by the Board to make comment. Ms. Smith presented the Board Members and Chief Counsel Diaz with information on the Sunshine Act and went on to allege that the Board members were not in compliance. Ms. Smith then quoted a portion of the Sunshine Act and then described some examples she believed were not in keeping with the Sunshine Act. Specifically, Ms. Smith again pointed out that when a license is refused, an explanation as to why is not provided. Ms. Smith then again reminded the Board members that if Rock the Capital decides to pursue the matter in court and the Board is found to be in violation, then each Board member would be personally responsible to pay the fine.

In response, Chairman Holden explained that after the last meeting, he instructed Chief Counsel Diaz to thoroughly research the Sunshine Act to ensure the PLCB is in compliance and if not, recommend changes. Chairman Holden then explained that the result of that research determined that the PLCB was in compliance and asked Chief Counsel Diaz to explain further. Chief Counsel Diaz began an attempt to explain an exception in the Sunshine Act before being interrupted by Ms. Smith, who expressed her disagreement with the quasi-judicial exception.

Ms. Smith continued to provide examples of what she interpreted as private deliberation. Ms. Smith then interrogated the Board members and Chief Counsel Diaz regarding the requirement to have security personnel at licensed premises. Chief Counsel Diaz explained several times that there is no general requirement at all and decisions to add security personnel is part of a negotiated agreement.

Peter Laurenzano was recognized by the Board to make comment. Mr. Laurenzano asked if it was the opinion of Chief Counsel Diaz that the PLCB was in compliance with the Sunshine Act. Chief Counsel Diaz responded by stating that quasi-judicial deliberations can be held privately, adding that is not his opinion but the opinion of the Pennsylvania Supreme Court. Mr. Laurenzano requested that the Board members be more transparent and have more public deliberation.

Mr. Laurenzano started to comment on his individual situation, to which Chief Counsel Diaz interrupted to let Mr. Laurenzano know his situation could not be discussed because it was currently in active litigation as Mr. Laurenzano had filed an appeal of the Board's decision to the Court of Common Pleas. Mr. Laurenzano then reiterated his request that the Board Members comply with the Sunshine Act.

Representative Morgan Cephias, who was viewing the live stream of the meeting, was recognized by the Board to make comment. Due to technical issues, the call was inaudible and Representative Cephias used the chat function to provide her comments. Representative Cephias shared that several constituents in the 192<sup>nd</sup> District have recently contacted her to express their concerns and opposition over a pending license application at Joe's Kwik Marts located at the Speedway Gas Station on City Avenue. This location is directly across the street from dormitories for students at Saint Joseph's University and also directly across the street from a long existing Fine Wine and Good Spirits which sits on the Montgomery County side of City Avenue. Representative Cephias expressed her opposition to this application as well, stating that in order to maintain the safety and quality-of-life of local residents and the students at nearby Saint Joseph's University, it is important that we limit the distribution of alcoholic beverages in this area.

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

Representative Cephas requested that this application be subject to a public meeting. Representative Cephas also requested for improvements in the way legislator's officers are made aware of applications and transfer requests and for the community to receive notice.

Chairman Holden responded that his assumption is this application is for a license transfer, and part of that process allows for protests to be heard by a hearing must take place before any transfer is approved. Chief Counsel Diaz then went into additional detail about who has the right to protest, and that anyone who files a timely protest gets an opportunity to share what their concerns are at a public hearing.

Chairman Holden then instructed Secretary Vigoda, who also serves as the Director of Legislative and Governmental Affairs, to follow up with Representative Cephas to let her know where this application is in the process and provide information about next steps.

#### **NEXT BOARD MEETING**

**The next meeting of the PLCB will be a formal meeting on Wednesday, April 5, 2023 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 Isenhour, seconded by Board Member Vulakovich, the meeting was adjourned.

The foregoing actions are hereby officially approved.

---

Chairman

---

Member

---

Member

ATTEST:

---

Secretary