

PENNSYLVANIA LIQUOR CONTROL BOARD

MEETING MINUTES

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WEDNESDAY, NOVEMBER 15, 2023
NORTHWEST OFFICE BUILDING, CONFERENCE ROOM 117, HARRISBURG, PA
MICROSOFT TEAMS MEETING

Tim Holden, Chairman
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*

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

Pledge of Allegiance to the Flag

OLD BUSINESS..... *Secretary Vigoda*

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

Motion Made: Board Member Vulakovich
Seconded: Chairman Holden

Board Decision: Unanimously agreed (2-0 vote) to approve previous Board Meeting Minutes.

ANNOUNCEMENT OF EXECUTIVE SESSIONS

As explained in the printed Meeting Agenda, certain matters being presented for “official action” at today’s meeting have been discussed during Executive Sessions held prior to today’s meeting as permitted by the Sunshine Act.

PUBLIC COMMENT

The Board has reserved 10 minutes for public comment.

A meeting participant by the name of Hector tried to offer public comment via the Teams App but had difficulty enabling audio on his device. Chairman Holden offered that he would recognize Hector at the second public comment period. During the meeting Hector offered in the chat function of the Teams App that he was inquiring about a license in Wilkes-Barre, PA. Hector’s contact information was obtained so future outreach could occur, and it was determined Hector did not need to make further comments.

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NEW BUSINESS

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

(1) **RKJM Associates, LLC** Resolution of Appeal
t/a Mulligan's Irish Pub Pending in the Court of
Midtown Village Common Pleas.
41 South Main Street, Building B
Wilkes-Barre, Pennsylvania 18701-1722
License No. R-2804/LID 67248
Docket Number 2023-09004 (Luzerne County)

Motion Made: Board Member Vulakovich
Seconded: Chairman Holden

Board Decision: Unanimously agreed (2-0 vote) to resolve the appeal by renewing the license.

(2) **Millersburger Hotel, Inc.** ALJ Appeal
t/a Millersburger Hotel
146 South Market Street
Millersburg, PA 17061-1330
License No. H-3121/LID 47089
Citation No. 21-0069

Motion Made: Board Member Vulakovich
Seconded: Chairman Holden

Board Decision: Unanimously agreed (2-0 vote) to affirm the ALJ's decision and remand for action.

(3) **Walk The Plank, Inc.** ALJ Appeal
t/a The Shippen Inn
11142 Route 208
Shippenville, PA 16254-1918
License No. R-18709/LID 71828
Citation No. 21-0067

Motion Made: Board Member Vulakovich
Seconded: Chairman Holden

Board Decision: Unanimously agreed (2-0 vote) to affirm the ALJ's decision and remand for action.

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- (4) **Walk The Plank, Inc.** ALJ Appeal
t/a The Shippen Inn
11142 Route 208
Shippenville, PA 16254-1918
License No. R-18709/LID 71828
Citation No. 21-0493
- Motion Made:** Board Member Vulakovich
Seconded: Chairman Holden
- Board Decision:** Unanimously agreed (2-0 vote) to affirm the ALJ's decision and remand for action.

- (5) **Mt. Gretna Entertainment, Inc.** ALJ Appeal
t/a Quentin Tavern
81 West Main Street
Lebanon, PA 17042-9527
License No. R-12095/LID 102812
Citation No. 21-0055
- Motion Made:** Board Member Vulakovich
Seconded: Chairman Holden
- Board Decision:** Unanimously agreed (2-0 vote) to affirm the ALJ's decision and remand for action.

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

- (1) **HRO2, LLC** Double Transfer & Request for
t/a Choice Tobacco Discount Outlet Interior Connections with Another
R-12956 (LID No. 109545) Case No. 23-9042 Business –
5129 Brightwood Road Restaurant
Bethel Park, Allegheny County
- Motion Made:** Board Member Vulakovich
Seconded: Chairman Holden
- Board Decision:** Unanimously agreed (2-0 vote) to approve the transfer and request for interior connections with another business.

- (2) **Joon Associates, Inc.** Request for Hearing after
R-6873 (LID No. 39716) Case No. 23-9069 Revocation and *Nunc Pro Tunc* –
1003 Arch Street Validations and Renewals –
Philadelphia, Philadelphia County Restaurant

Motion Made: Board Member Vulakovich

Chairman Holden asked if there was anyone from Joon Associates, Inc. who wished to be recognized. There was no response.

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Seconded: Chairman Holden

Board Decision: Unanimously agreed (2-0 vote) to deny the request for *Nunc Pro Tunc* and the license remain revoked.

- (3) **851 Penn Street, Inc.** Renewal District 3
R-526 (LID No. 40001) Case No. 2023-40001
851-853 Penn Street
Reading, Berks County

Motion Made: Board Member Vulakovich
Seconded: Chairman Holden

Board Decision: Unanimously agreed (2-0 vote) to hold for a conditional licensing agreement.

- (4) **1330 Walnut Partners, LLC** Renewal District 10
R-5089 (LID No. 69273) Case No. 2020-69273
1330 Walnut Street
Philadelphia, Philadelphia County

Motion Made: Board Member Vulakovich
Seconded: Chairman Holden

Board Decision: Unanimously agreed (2-0 vote) to hold for an amended conditional licensing agreement.

- (5) **5261 Perez, Inc.** Renewal District 10
R-122 (LID No. 50641) Case No. 2022-50641
5261 North 5th Street
Philadelphia, Philadelphia County

Motion Made: Board Member Vulakovich
Seconded: Chairman Holden

Board Decision: Unanimously agreed (2-0 vote) to hold for a conditional licensing agreement.

- (6) **Bob's Inn, Inc.** Renewal District 6
t/a Bob's Inn
R-17535 (LID No. 18747) Case No. 2022-18747
3832 Old WM Penn Highway
Murrysville, Westmoreland County

Motion Made: Board Member Vulakovich
Seconded: Chairman Holden

Board Decision: Unanimously agreed (2-0 vote) to hold for a conditional licensing agreement.

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- (7) **Dalmatian Food & Beverage, LLC** Renewal District 2
R-10029 (LID No. 68984) Case No. 2022-68984
606 N 2nd Street
Harrisburg, Dauphin County
HOLD 9/20/23 SESSION
Conditional Licensing Agreement

Motion Made: Board Member Vulakovich
Seconded: Chairman Holden

Board Decision: Unanimously agreed (2-0 vote) to approve the renewal with a conditional licensing agreement.

- (8) **Goodfellas, Inc.** Renewal District 3
R-17704 (LID No. 43431) Case No. 2023-43431
1105 South Centre Street
Mount Carbon
Pottsville, Schuylkill County

Motion Made: Board Member Vulakovich
Seconded: Chairman Holden

Board Decision: Unanimously agreed (2-0 vote) to hold for an amended conditional licensing agreement.

- (9) **Harue, Inc.** Renewal District 1
South Mountain Hotel & Bar
H-3126 (LID No. 46271) Case No. 2023-46271
10479 Dixon Road
P.O. Box 102
Quincy Township
South Mountain, Franklin County

Motion Made: Board Member Vulakovich
Seconded: Chairman Holden

Board Decision: Unanimously agreed (2-0 vote) to hold for a conditional licensing agreement.

- (10) **Phyllis A. Hudek James S. Hudek** Renewal District 6
t/a The Rainbow
R-8864 (LID No. 42235) Case No. 2022-42235
323 2nd Street
Freeport, Armstrong County

Motion Made: Board Member Vulakovich
Seconded: Chairman Holden

Board Decision: Unanimously agreed (2-0 vote) to hold for a conditional licensing agreement.

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- (11) **Andrew J. King** Renewal District 6
t/a Adolph's Tavern
R-4418 (LID No. 42023) Case No. 2022-42023 **HOLD 9/20/23 SESSION**
107-109 South Main Street
Masontown, Fayette County **Conditional Licensing Agreement**
- Motion Made:** Board Member Vulakovich
Seconded: Chairman Holden
- Board Decision:** Unanimously agreed (2-0 vote) to approve the renewal with a conditional licensing agreement.
- (12) **M & EM, Inc.** Renewal District 2
t/a Glenville Station
R-19450 (LID No. 91470) Case No. 2022-91470
7945 Glenville Road
Codorus Township
Glenville, York County
- Motion Made:** Board Member Vulakovich
Seconded: Chairman Holden
- Board Decision:** Unanimously agreed (2-0 vote) to hold for a conditional licensing agreement.
- (13) **Major Dan, Inc.** Renewal District 8
t/a Screw Moose Saloon
R-15868 (LID No. 97694) Case No. 2022-97694
462 West State Street
Larksville Borough
Plymouth, Luzerne County
- Motion Made:** Board Member Vulakovich
Seconded: Chairman Holden
- Board Decision:** Unanimously agreed (2-0 vote) to hold for a conditional licensing agreement.
- (14) **Micasa Restaurant & Bar, Inc.** Renewal District 8
R-7457 (LID No. 66566) Case No. 2020-66566 and
2022-66566
217 East Diamond Avenue
Hazleton, Luzerne County
- Motion Made:** Board Member Vulakovich
Seconded: Chairman Holden
- Board Decision:** Unanimously agreed (2-0 vote) to hold for a conditional licensing agreement.

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- (15) **Mustang 347, LLC** Renewal District 6
t/a Evons
R-10408 (LID No. 84275) Case No. 2022-84275
210 Memorial Drive
Perry Township
Star Junction, Fayette County
- Motion Made:** Board Member Vulakovich
Seconded: Chairman Holden
- Board Decision:** Unanimously agreed (2-0 vote) to hold for a conditional licensing agreement.

- (16) **Sail's Inc.** Renewal District 6
t/a Sail's Inn
H-3713 (LID No. 39589) Case No. 2022-39589 **HOLD 7/20/23 SESSION**
277 North Gallatin Avenue **Conditional Licensing Agreement**
Uniontown, Fayette County
- Motion Made:** Board Member Vulakovich
Seconded: Chairman Holden
- Board Decision:** Unanimously agreed (2-0 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 18 personnel actions presented for consideration.

- (1) **Tamara Bordley - Removal**
- (2) **Nicole Devine-Rubin – Affirm Removal**
- (3) **Raphielle Durant – Removal**
- (4) **Kim Eister - Removal**
- (5) **Kahal Hatfield – Removal**
- (6) **Aneesha Holland - Removal**
- (7) **James Holminski - Removal**
- (8) **Timmy Lindsay – Affirm Removal**
- (9) **Reynaldo Martinez – Affirm Removal**

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- (10) **Joseph Michaels – Affirm Removal**
- (11) **Tonya Miller – Removal**
- (12) **Sharon Payne – Affirm Removal**
- (13) **Jasmine Robinson – Affirm Removal**
- (14) **Banner Shope – Affirm Removal**
- (15) **Jesse Smith – Removal**
- (16) **Patress Strand – Removal**
- (17) **John Torch – Affirm Removal**
- (18) **Aaliyah Tromp – Affirm Removal**

Motion Made: Board Member Vulakovich
Seconded: Chairman Holden

Board Decision: Unanimously agreed (2-0 vote) to approve the recommendations from the Bureau of Human Resources.

*From the Bureau of Accounting & PurchasingMichael Demko, Executive Director
Elizabeth Brassell, Deputy Executive Director
Ijeoma Ezekoye, Director, Bureau of Financial Management & Analysis*

Procurement Actions:

- (1) **Identity and Access Management Administrator Staff Augmentation** – This request is for an Identity and Access Management (IAM) Administrator for a hybrid contract position (90% remote, up to 10% onsite). As part of the PLCB Security Team, the IAM Administrator supports user creation, provisioning, access reviews, auditing, governance, and other cross-functional security team support as needed. This individual will be expected to become familiar with established policies, procedures, audit, compliance requirements, and IAM systems and tools used to support and maintain appropriate access to applications agency-wide.

Procured via DGS Contract #4400024749 – VENDOR: **OST, Inc.** – TERM: Six months - **\$144,144.00 estimated cost.**

- (2) **Hearing Examiner Services Renewal** – Represent the Board in the capacity of a Hearing Examiner for administrative hearings conducted in the Commonwealth of Pennsylvania regarding matters which the Board shall adjudicate as required by law.

Procured via PO 80000839 Option Year – VENDOR: **Regina Blewitt Aposhian** – Term: One year for period 1/31/2024 through 1/30/2025 - **\$150,000.00 estimated cost.**

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- (3) **Specialized Legal Services and Subject Matter Expertise** – PLCB requires ongoing assistance in legal matters that include but is not limited to special order litigation, as well as ongoing IP portfolio management.

Procured via Sole Source – VENDOR: **Duane Morris LLP** – Term: Three years for period 1/1/2024 through 12/31/2026 - **\$1,200,000.00 estimated cost** (not to exceed \$400,000.00 per year).

Inter-Agency Charges:

- (1) **Office of Administration – IT Shared Services** – Billing of \$985,106.00 for FY 2023-24 second quarter estimate for OA’s IT Enterprise Technology Essential Services. This billing is for enterprise-wide infrastructure, network, security, enterprise data center (EDC), service desk and eGrants costs.

- (2) **Department of Auditor General** – Billing of \$816,698.37 for the FY 2023-24 first quarter from the Department of the Auditor General. The first quarter’s services decreased \$30,283.68 or (-3.3%) under first quarter FY 2022-23. The billing decrease is due to a decrease in audit hours 336hr. or (-3.3%) under prior first quarter FY 2022.

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 Vulakovich
Seconded: Chairman Holden

Board Decision: Unanimously agreed (2-0 vote) to approve the recommendations from the Bureau of Accounting and Purchasing.

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

- (1) **#4201 – 38 Davis St, Bradford
Amendment**

- (2) **#0214 – Water Works, 974 Freeport Road, Pittsburgh
Exercise Option**

Motion Made: Board Member Vulakovich
Seconded: Chairman Holden

Board Decision: Unanimously agreed (2-0 vote) to approve the recommendations from the Office of Retail Operations.

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From the Bureau of Product SelectionTom 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
Various	3. Regular Recommended Delist

1. Regular New Items Accepted

BRAND NAME AND SIZE

REASON

North Wales Wines

Taylor Port Black 1.5 L	2, 3, 19
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RECOMMENDED ACTION: We recommend the Board approve this action

2.Regular New Items Accepted Revision

BRAND NAME AND SIZE

REASON

RESCIND

Survive Enterprises

Veube Du Vernay Sparkling Brut 750 mL	18
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NOTE: Sent to Board on 5-17-2023

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

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- 18. Licensee only
- 19. Probationary listing

3. Regular Recommended Delist

<u>BRAND NAME AND SIZE</u>	<u>CODE</u>
<u>Majestic Wine and Spirits</u>	
Canteen Spirits Black Cherry Vodka Soda 4x355 mL Cans	97713
<u>Sutter Home Winery</u>	
Sutter Home White Merlot 4x187 mL	4418

EFFECTIVE DATE: The transference to closeout will become effective December 15, 2023

Motion Made: Board Member Vulakovich
Seconded: Chairman Holden

Board Decision: Unanimously agreed (2-0 vote) to approve the recommendations from the Bureau of Product Selection.

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, Deputy Executive Director

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?

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Motion Made: Board Member Vulakovich
Seconded: Chairman Holden

Board Decision: Unanimously agreed (2-0 vote) to conditionally approve funding for grants as recommended by the Pennsylvania Wine Marketing and Research Board and the Pennsylvania Malt and Brewed Beverages Industry Promotion Board pending receipt of fully executed grant agreements.

PUBLIC COMMENT

No public comments were offered.

NEXT BOARD MEETING

The next meeting of the PLCB will be a formal meeting on Wednesday, December 6, 2023 beginning at 11:00 A.M. Prior to the public meeting, an Executive Session or Sessions will be held for the specific purposes as regularly set forth in the printed Board Agenda.

ADJOURNMENT

On motion by Board Member Vulakovich and seconded by Chairman Holden, the meeting was adjourned.

The foregoing actions are hereby officially approved.

Chairman

Member

ATTEST:

Secretary