

PENNSYLVANIA LIQUOR CONTROL BOARD

MEETING MINUTES

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WEDNESDAY, OCTOBER 4, 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*

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 September 20, 2023 meeting.

Motion Made: Board Member Isenhour
Seconded: Board Member Vulakovich

Board Decision: Unanimously agreed (3-0 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.

No public comments were offered.

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- (5) **Marrakesh East Coasts Premier Moroccan Restaurant, Inc.** Proposal to Allow for the Renewal of the Liquor License
517 South Leithgow Street
Philadelphia, Pennsylvania 19147-1514
License No. R-3836/LID 58237
Docket No. 230301853 (Philadelphia County)
- Motion Made:** Board Member Isenhour
Seconded: Board Member Vulakovich
- Board Decision:** Unanimously agreed (3-0 vote) to resolve this matter by renewing license R-3836.
- (6) **Keah, LLC** Resolution of Appeal Pending in the Court of Common Pleas
7365 Denniston Avenue
Pittsburgh, Pennsylvania 15218
License No. R-2435/LID 91809
Docket No. SA-22-000652 (Allegheny County)
- Motion Made:** Board Member Isenhour
Seconded: Board Member Vulakovich
- Board Decision:** Unanimously agreed (3-0 vote) to renew the license with a conditional licensing agreement.
- (7) **Hart J Distributor, Inc.** Appeal to Commonwealth Court in Application Appeal
611 Pittsburgh Road
Uniontown, Pennsylvania 15401-2276
License No. D-277/LID 69728
Docket No. 243 of 2023, M.D. (Fayette County)
- Motion Made:** Board Member Isenhour
Seconded: Board Member Vulakovich
- Board Decision:** Unanimously agreed (3-0 vote) to not appeal to the Commonwealth Court.
- (8) **Chapter 5, Subchapter B Update** Final-Form Regulatory Change
- Motion Made:** Board Member Isenhour
- Chairman Holden asked Chief Counsel Rodrigo Diaz to offer a description of the regulatory change.

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Mr. Diaz offered that this is the final form of a regulatory change, and is identical to the proposed regulation that had been previously approved by the Board. After the Board approved the proposed regulation, it was published in the PA Bulletin for public comment. The only comment received was a “thank you” for making the changes. The changes to Chapter 5, subchapter B are not substantive but rather removing redundant sections and references to statutes that are no longer in existence. Should the Board approve the update, the regulation change will go to IRRC and because no changes were made, it will be deemed approved. The regulation will then go to the Attorney General one last time and then it will be published.

Seconded: Board Member Vulakovich

Board Decision: Unanimously agreed (3-0 vote) to approve the final-form regulatory change.

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

(1) **Glenn Bryant Services, LLC** Double Transfer – Restaurant
t/a Underdog BBQ
R-20284 (LID No. 115083) Case No. 23-9025
2714 West 8th Street
Millcreek Township
Erie, Erie County

Motion Made: Board Member Isenhour

Chairman Holden asked if there was anyone in the listening audience representing Glenn Bryant Services, 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.

(2) **PQ The Beer Store, LLC** Extension of License & Requests for
D-2638 (LID No. 113465) Interior Connections with Another
309-311 West 21st Street Business & for Permission to Retain
Hazleton, Luzerne County Other Employment – Distributor

Motion Made: Board Member Isenhour

Seconded: Board Member Vulakovich

Board Decision: Unanimously agreed (3-0 vote) to approve the extension of license and requests for interior connections with another business and to retain other employment.

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- (3) **523 Linden Tavern, Inc.** Renewal – District 9
R-3683 (LID No. 60688) Case No. 2021-60688
523 Linden Street
Scranton, Lackawanna County
HOLD 8/30/23 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.

- (4) **Castro's Subs N Suds, LLC** Renewal – District 8
R-10607 (LID No. 68769) Case No. 2022-68769
442 West Broad Street
Hazleton, Luzerne County
HOLD 8/30/23 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.

- (5) **Cullo Entertainment, LLC** Renewal – District 10
R-7650 (LID No. 73152) Case No. 2022-73152
1209 Vine Street
Philadelphia, Philadelphia County

Motion Made: Board Member Isenhour
Seconded: Board Member Vulakovich

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

- (6) **HMAC Venue, LLC** Renewal – District 2
t/a Harrisburg Midtown Arts Center
R-4643 (LID No. 98407) Case No. 2022-98407
1110 North 3rd Street
Harrisburg, Dauphin County

Motion Made: Board Member Isenhour
Seconded: Board Member Vulakovich

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

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- (7) **Krick Wuder, Inc.** Renewal – District 10
R-15692 (LID No. 91569) Case No. 2022-91569
2670-76 Bridge Street
Philadelphia, Philadelphia County
- Motion Made:** Board Member Isenhour
Seconded: Board Member Vulakovich
- Board Decision:** Unanimously agreed (3-0 vote) to hold for a conditional licensing agreement.
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- (8) **Newmoyer Enterprises, Inc.** Renewal – District 2
t/a The Cocalico Tavern
R-18692 (LID No. 45441) Case No. 2022-45441
1015 North Reading Street
East Cocalico Township
Stevens, Lancaster County
- Motion Made:** Board Member Isenhour
Seconded: Board Member Vulakovich
- Board Decision:** Unanimously agreed (3-0 vote) to hold for a conditional licensing agreement.
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- (9) **Risky Business, Inc.** Renewal – District 8
t/a Whiskey Business
R-10742 (LID No. 37229) Case No. 2022-37229
87 Wood St
Wilkes Barre, Luzerne County
- 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.
- HOLD 8/30/23 SESSION**
Conditional Licensing Agreement
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- (10) **S LA 5701, Inc.** Renewal – District 10
R-13704 (LID No. 70878) Case No. 2022-70878
5701 Elmwood Avenue
Philadelphia, Philadelphia County
- Motion Made:** Board Member Isenhour
Seconded: Board Member Vulakovich
- Board Decision:** Unanimously agreed (3-0 vote) to hold for a conditional licensing agreement.

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**(11) Smitty Corporation
t/a Swamp Pike Pub**
R-18350 (LID No. 56751) Case No 2022-56751
2532 Swamp Pike
New Hanover Township
Pottstown, Montgomery County

Renewal – District 4

HOLD 8/9/23 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.

*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) Mary Lynn Cacho – Removal**
- (2) Jadzeair Clark – Removal**
- (3) Daniel Corman - Removal**
- (4) Munirah Elshabazz – Affirm Removal**
- (5) Claire Figura - Removal**
- (6) Anica Gambill – Removal**
- (7) Dennis Johnson – Affirm Removal**
- (8) Nijha Johnson – Removal**
- (9) Tyrone Kemp – Affirm Removal**
- (10) Shanyia Knox – Affirm Removal**
- (11) Sheila Mercado – Affirm Removal**
- (12) Carina Sokolov – Affirm Removal**
- (13) James Walker – Removal**

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

Procurement Actions:

(1) **Microsoft Enterprise Azure** – Additional funds required in our Microsoft Azure cloud datacenter pre-spend due to legacy eCommerce resources not being turned off as planned. Weekly costs will gradually reduce as non-production eCommerce servers, databases, etc. are discontinued, followed by production resources soon. Azure Synapse data warehouse\data lake are still being utilized and will continue.

Procured via DGS Contract #4400018548 – VENDOR: **CDW-G** – TERM: Eight months for period 10/1/2023 through 5/31/2024 - **\$200,000.00 estimated cost.**

(2) **HP Elitebook 650 G9** – This purchase request replaces two models of older laptops. The G3 & G4 laptops have reached the point in their lifecycle where we are now receiving numerous complaints from users due to hardware failures. This costs the agency money due to lost hours of work while we either fix or replace the laptop with something else.

Procured via DGS Contract #4400017908 – VENDOR: **HP Inc.** - **\$126,360.00 estimated cost** (90 @ \$1,404.00 each).

Inter-Agency Charges:

None

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 and Purchasing.

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

(1) **#1522 – Suburbia Shopping Center, 76 Glocker Way, Pottstown Amendment**

(2) **#2206 – Midtown Plaza, 430 East Main Street, Middletown Amendment**

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**(3) #3920 – East Penn Plaza. 1325 Chestnut Street, Emmaus
Amendment**

**(4) #5116 – 101 East Olney Avenue, Philadelphia
Amendment**

**(5) #04XX – 400 9th Street, Suite B, New Brighton
New Store (relocation of #0408)**

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 SelectionTom Bowman, Director of Product Selection

VENDOR – ITEM NAME

BOARD ACTION REQUESTED

Various	1. Regular New Item Accepted
Various	2. Regular Recommended Delist
Various	3. Regular Recommended Delist Revision

1. Regular New Item Accepted

BRAND NAME AND SIZE

REASON

<u>Bacardi USA Inc</u> Dewar’s The Ancestor Blended Scotch 12 Year Old 1.75 L	2, 3, 5
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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

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- 18. Licensee only
- 19. Probationary listing

2. Regular Recommended Delist

<u>BRAND NAME AND SIZE</u>	<u>CODE</u>
<u>Pezone Cello LLC</u>	
Pezone Chocolate Banana Cello 750 mL	9955
Pezone Chocolate Caramel Cello 750 mL	97583
Pezone Chocolate Cello 750 mL	9945
Pezone Lemon Cello 750 mL	9954
Pezone Lemon Cream Cello 750 mL	97584
<u>The Dandelion Winery Inc</u>	
Dandelion Winery Peach Sangria 750 mL	98875
Dandelion Winery Dandelion White 750 mL	98136

EFFECTIVE DATE: The transference to closeout will become effective November 3, 2023

3. Regular Recommended Delist Revision

<u>BRAND NAME AND SIZE</u>	<u>CODE</u>
<u>RESCIND</u>	
<u>Luxco Inc</u>	
Celtic Honey Irish Liqueur 750 mL	9489

NOTE: This item was sent to board August 30, 2023

RECOMMENDED ACTION: We recommend the Board approve this action

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.

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

None

OTHER ISSUES

None

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

PUBLIC COMMENT

The Board has reserved 10 minutes for public comment.

No public comment was offered.

NEXT BOARD MEETING

The next meeting of the PLCB will be a formal meeting on Wednesday, October 18, 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 a motion by Board Member Isenhour, seconded by Board Member Vulakovich, the meeting was adjourned.

Chairman

Member

Member

ATTEST:

Secretary