PENNSYLVANIA LIQUOR CONTROL BOARD

MEETING MINUTES

Watch the video recording.

WEDNESDAY, OCTOBER 16, 2024

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

Tim Holden, Chairman Randy Vulakovich, Board Member Darrell Clarke, Board Member Rodrigo Diaz, 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 Management
Financial Report

Other Issues

PUBLIC MEETING - 11:00 A.M

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

A. Motion to approve previous Board Meeting Minutes of the September 25, 2024 meeting.

Motion Made: Board Member Vulakovich
Seconded: Board Member Clarke

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

Minutes of the September 25, 2024 meeting.

ANNOUNCEMENT OF EXECUTIVE SESSIONS

As explained in the printed Meeting Agenda, certain matters presented for "official action" at today's meeting were discussed during Executive Sessions held prior to today's meeting as permitted by the Sunshine Act.

PUBLIC COMMENT

The Board reserved 10 minutes for public comment.

Mrs. Bonnie Brown addressed the Board regarding the tragic loss of her husband, Mr. Mark Brown, who passed away in a motorcycle accident while driving intoxicated. She sought the Board's guidance and assistance in addressing the issue of licensed establishments over-serving patrons and allowing them to leave in such a state. Her goal is to potentially create a new law or heightened awareness and accountability in this area to honor the memory of her husband. Chairman Holden expressed condolences on behalf of the Board and invited Chief Counsel Jason Worley to provide information on existing programs and regulations affecting licensed establishments. Mr. Worley explained the citation process for violations and the PLCB's biennial nuisance bar review. He also highlighted the efforts of the Bureau of Alcohol Education and the RAMP (Responsible Alcohol Management Program). Mr. Worley offered to continue the discussion with Mrs. Brown after the meeting to explore possible legislative solutions.

Mr. John Waltman then addressed the Board regarding agenda item #13 from the Bureau of Licensing concerning Back Street Tiki Bar & Grill, LLC. Mr. Waltman alleged that the establishment is a public noise nuisance, and repeatedly violates rules and regulations governing the use of its outdoor areas. He further claimed that the licensee is reckless, disregards Scranton's zoning laws, and shows no consideration for neighbors like himself, who are frequently disturbed by loud music from live bands. He also fails to post suspension notices as required. Chairman Holden thanked Mr. Waltman for his comments, assuring him they would be taken into account in the Board's deliberations.

NEW BUSINESS

(1) Bourbon at the Mill, LLC 4797 York Road New Oxford, PA 17350-9401

License No. R-17232 LID 98588

Motion Made: Board Member Vulakovich
Seconded: Board Member Clarke

Board Decision: Unanimously agreed (3-0 vote) to resolve the pending appeal by renewing

the license subject to the signed conditional licensing agreement.

(2) Sudsys Acquisition, LLC

6080 Library Road Bethel Park, PA 15102-4026 License No. D-984 LID 71798 Resolution of Appeal Pending in the Court of Common Pleas of Allegheny County

Resolution of Appeal Pending in the Court

of Common Pleas of Adams County

Motion Made: Board Member Vulakovich
Seconded: Board Member Clarke

Board Decision: Unanimously agreed (3-0 vote) to resolve the pending appeal by renewing

the license subject to the signed conditional licensing agreement.

(3) KAR Holdings, Inc.

111 East Station Avenue Coopersburg, PA 18036-2125 License No. H-1606 LID 66489 Request for Recission of Conditional Licensing Agreement

Motion Made: Board Member Vulakovich Seconded: Board Member Clarke

Board Decision: Unanimously agreed (3-0 vote) to approve the request to rescind the

conditional licensing agreement currently in effect against the licensee.

(1) Alkeme, LLC

R-8925 (LID No. 81586) Case No. 24-9048 18 North Park Row

Erie, Erie County

Requests for Hearing After Revocation and *Nunc Pro Tunc* – Extension of Safekeeping –

Restaurant

Motion Made: Board Member Vulakovich

Chairman Holden asked if anyone in the audience wished to speak

on behalf Alkeme, LLC. There was no response.

Seconded: Board Member Clarke

Board Decision: Unanimously agreed (3-0 vote) to deny the licensee's request for

Nunc Pro Tunc relief to extend the safekeeping period and that the license should therefore remain administratively revoked by

operation of law.

(2) Beer on Market, Inc.

D-3876 (LID No. 73127) 400 Market Street

Brownsville, Fayette County

Requests to Delicense Areas & for an Interior Connection with Another

Business – Distributor

Motion Made: Board Member Vulakovich
Seconded: Board Member Clarke

Board Decision: Unanimously agreed (3-0 vote) to approve request to delicense

areas and interior connections with another business.

(3) Kalinowski Management, LLC t/a Rumrunnerz Bar & Grill

R-2580 (LID No. 62362) Case No. 24-9047

600 East Drinker Street

Dunmore, Lackawanna County

Requests for Hearing After Revocation and *Nunc Pro Tunc* – Extension of Safekeeping –

New – Economic Development

Restaurant

Motion Made: Board Member Vulakovich

Chairman Holden asked if anyone in the audience wished to speak on behalf of Kalinowski Management, LLC. There was no

response.

Seconded: Board Member Clarke

Board Decision: Unanimously agreed (3-0 vote) to deny the licensee's request for

Nunc Pro Tunc relief to extend the safekeeping period and that the license should therefore remain administratively revoked by

Restaurant

operation of law.

(4) La Choza Restaurant & Catering, LLC t/a La Choza

(LID No. 118396) Case No. 24-9036

710 State Road Bristol Township Croydon, Bucks County

Motion Made: Board Member Vulakovich

Chairman Holden asked if anyone in the audience wished to speak on behalf of La Choza Restaurant & Catering, LLC. There was no

response.

Seconded: Board Member Clarke

Board Decision: Unanimously agreed (3-0 vote) to deny the application for a new

economic development restaurant liquor license.

(5) Preetis Pitt, LLC

R-8370 (LID No. 89514) Case No. 24-9042

2701-2703 Penn Avenue

Pittsburgh, Allegheny County

Extension of License – Restaurant

Motion Made: Board Member Vulakovich
Seconded: Board Member Clarke

Board Decision: Unanimously agreed (3-0 vote) to approve the application for

extension of premises on a prior approval basis.

(6) WSA II, LLC

R-9578 (LID No. 48792) Case No. 23-9130 411 Swedeland Road Building 23 Upper Merion Township King of Prussia, Montgomery County Request for Hearing After Administrative Cancellation – Appointment of Management Company – Restaurant

HOLD - 9/25/24 SESSION

Board Secretary Vigoda indicated that agenda items number 6 & 7 would be read together as they concern the same licensee.

Motion Made: Board Member Vulakovich

Board Member Vulakovich motioned to refuse the application for renewal of the restaurant liquor license and that the application for appointment of management company be considered moot.

Chairman Holden asked if anyone in the audience wished to speak on behalf of WSA II, LLC. Francis X. O'Brien spoke on behalf of the licensee.

Mr. O'Brien thanked the Board for previously granting additional time to address agenda item 6 but stated that he would not oppose any action taken on that application at this time. Regarding agenda item 7, the renewal of the liquor license itself, Mr. O'Brien notes that it was not brought up at the previous meeting despite today's agenda showing otherwise. Mr. O'Brien states that he has not had the opportunity to confer with his client on the substantive aspect of the license's renewal. He requested that the Board hold item number 7 on today's agenda for two months to allow the licensee time to obtain the missing tax clearance.

Board Secretary Vigoda clarified that the agenda was correct, and the previously held action only applied to agenda item 6, not item 7.

Chief Counsel Jason Worley informed Mr. O'Brien that the missing tax clearance was due March 2, 2024. In his view, the agency had provided ample time for both the clearance to arrive and for Mr. O'Brien to consult with his client. Ultimately, it is the Board's decision if they want to provide any additional latitude despite sufficient opportunity being given.

Member Clarke was in agreement regarding the disposition of item 6 and as to item 7, he concurred to provide an extension until the next Board meeting to obtain a tax clearance certificate.

Member Vulakovich asked what would happen to the application for the appointment of a management company, which had been deemed moot if the Board held the renewal application. Based on the inclination of Members Holden and Clarke to approve the extension, Member Vulakovich was willing to withdraw his pending motion.

Mr. O'Brien withdrew the application for the appointment of a management company based on the Board's willingness to provide the proposed extension for item 7. If a tax

certificate is obtained, Mr. O'Brien indicated that a new application for a management company would be filed, if warranted, and that the current application in item 6 was confirmed as withdrawn.

Motion Withdrawn: Board Member Vulakovich withdrew his motion to refuse the

application for renewal of the restaurant liquor license and that the application for appointment of management company be

considered moot.

(7) WSA II, LLC Renewal – Restaurant

R-9578 (LID No. 48792) Case No. 24-9077 411 Swedeland Road Building 23 Upper Merion Township

King of Prussia, Montgomery County

Motion Made: Chairman Holden

Seconded: Board Member Clarke

Agreed by Chairman Holden and Member Clarke (2-1 vote) to place WSA II on hold until the next Board meeting (See item 6 of minutes

above).

(8) 3BM, LLC Renewal – District 5

t/a 202 Hometown Tacos

R-3508 (LID No. 96741) Case No. 2023-96741 HOLD 3/20/24 SESSION

407 Lincoln Avenue

Bellevue, Allegheny County Conditional Licensing Agreement

Motion Made: Board Member Vulakovich Seconded: Board Member Clarke

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

conditional licensing agreement.

(9) 5th Year, Inc. Renewal – District 5

R-13001 (LID No. 91815) Case No. 2023-91815

116 Oakland Avenue

Pittsburgh, Allegheny County

Motion Made: Board Member Vulakovich Seconded: Board Member Clarke

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

agreement.

(10) 227 Yvonne, Inc. Renewal – District 11

E-1100 (LID No. 57667) Case No. 2023-57667

227 Main Street

Darby, Delaware County

Motion Made: Board Member Vulakovich Seconded: Board Member Clarke

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

(11) 1836 Saloon, Inc. Renewal – District 9

R-20211 (LID No. 72929) Case No. 2023-

72929

2605 Milford Road Smithfield Township

Marshalls Creek, Monroe County

Motion Made: Board Member Vulakovich Seconded: Board Member Clarke

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

agreement.

(12) 2187 McIntyre Enterprises, LLC Renewal – District 6

R-4682 (LID No. 108647) Case No. 2024-

108647 Conditional Licensing Agreement

2187 McIntyre Road Young Township McIntyre, Indiana County

Motion Made: Board Member Vulakovich
Seconded: Board Member Clarke

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

conditional licensing agreement.

(13) Back Streets Tiki Bar & Grille, LLC Renewal – District 9

t/a Back Streets Tiki Bar & Grille

R-14559 (LID No. 97674) Case No. 2023-97674

2225 Jackson Street

Scranton, Lackawanna County

Motion Made: Board Member Vulakovich Seconded: Board Member Clarke

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

agreement with relative to its amusement permit.

(14) DND Grill, LLC

Renewal – District 4

R-3714 (LID No. 85893) Case No. 2024-85893

1869 South 4th Street Allentown, Lehigh County

HOLD 8/21/24 SESSION

Conditional Licensing Agreement

Motion Made: Board Member Vulakovich
Seconded: Board Member Clarke

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

conditional licensing agreement.

(15) Finski, Inc. Renewal – District 5

R-14504 (LID No. 65078) Case No. 2023-65078

5440-42 Walnut Street

Pittsburgh, Allegheny County

Motion Made: Board Member Vulakovich Seconded: Board Member Clarke

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

agreement.

(16) GSU, Inc. Renewal – District 5

t/a Gooski's

R-12862 (LID No. 39114) Case No. 2023-39114 HOLD 7/31/24 SESSION

3117 Brereton Street

Pittsburgh, Allegheny County Conditional Licensing Agreement

Motion Made: Board Member Vulakovich
Seconded: Board Member Clarke

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

conditional licensing agreement.

(17) Kinard Entertainment, Inc. Renewal – District 2

t/a Avalons

R-53264 (LID No. 43727) Case No. 2024-43727

466-468 East Market Street

York, York County

Motion Made: Board Member Vulakovich Seconded: Board Member Clarke

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

restaurant liquor license subject to the existing conditional license agreement which shall be extended to remain in effect through the remainder of the licensing term that began on March 1, 2024, and

until the Board renders a decision as to the renewal for the licensing term beginning March 1, 2026.

(18) KJK Hospitality, LLC Renewal – District 5

t/a Redstone Tavern

R-20014 (LID No. 81210) Case No. 2023-81210 HOLD 8/21/24 SESSION

Crafton Ingram Shopping Center,

19 Foster Avenue Conditional Licensing Agreement

Crafton

Pittsburgh, Allegheny County

Motion Made: Board Member Vulakovich Seconded: Board Member Clarke

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

conditional licensing agreement.

(19) Mac's Bros., Inc. Renewal – District 9

D-3853 (LID No. 28137) Case No. 2023-28137

924 Northern Boulevard HOLD – 7/31/24 SESSION

South Abington Township

Clarks Summit, Lackawanna County Conditional Licensing Agreement

Motion Made: Board Member Vulakovich
Seconded: Board Member Clarke

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

conditional licensing agreement.

(20) Second Base Restaurant & Lounge, Inc. Renewal – District 8

R-4694 (LID No. 67019) Case No. 2024-67019

123-131 West Broad Street Hazleton, Luzerne County

Motion Made: Board Member Vulakovich Seconded: Board Member Clarke

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

agreement.

(21) Siddhivinayaka Distributor, Inc. Renewal – District 9

D-3935 (LID No. 71394) Case No. 2023-71394)

65 Bridge Street HOLD – 9/11/24 SESSION

Tunkhannock, Wyoming County

Conditional Licensing Agreement

Motion Made: Board Member Vulakovich
Seconded: Board Member Clarke

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

conditional licensing agreement.

(22) Stoish, Inc. Renewal – District 10

R-8975 (LID No. 98359) Case No. 2024-98359

240 Market Street

Philadelphia, Philadelphia County

Motion Made: Board Member Vulakovich Seconded: Board Member Clarke

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

licensing agreement.

(23) Tri Entertainment, Inc. Renewal – District 5

R-11430 (LID No. 58244) Case No. 2023-58244 1510-14 East Carson Street

Pittsburgh, Allegheny County

Motion Made: Board Membe

Motion Made: Board Member Vulakovich Seconded: Board Member Clarke

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

agreement.

(24) Two Boyz, Inc. Renewal – District 10

R-20 (LID No. 68267) Case No. 2018-68267

2020-68267 and 2022-68267

898 Sanger Street

Philadelphia, Philadelphia County

Motion Made: Board Member Vulakovich Seconded: Board Member Clarke

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

agreement.

(25) Walk The Plank, Inc. Renewal – District 7

t/a The Shippen Inn

R-18709 (LID No, 71828) Case No. 2023-71828 HOLD – 7/31/24 SESSION

11142 Route 208

Elk Township Conditional Licensing Agreement

Shippenville, Clarion County

Motion Made: Board Member Vulakovich
Seconded: Board Member Clarke

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

conditional licensing agreement.

(26) Sharyn L Williams Angelo F Perigo Renewal – District 5

t/a Sharwood Lounge

R-14384 (LID No. 60592) Case No. 2023-60592 **HOLD – 4/10/24 SESSION**

470 Broadway

Pitcairn, Allegheny County Conditional Licensing Agreement

Motion Made: Board Member Vulakovich
Seconded: Board Member Clarke

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 12 personnel actions presented for consideration.

- (1) Seth Apple Affirm Removal
- (2) Daneshia Comer Affirm Removal
- (3) Lamar Hughes Affirm Removal
- (4) Christina Morrah-Miller Affirm Removal
- (5) Rafiq Parish Affirm Removal
- (6) Edward Porter Removal
- (7) Nicole Pyatt Removal
- (8) Destiny Rabassa Affirm Removal
- (9) Sharon Slade Removal
- (10) Kiel Swartwood Removal
- (11) Amber Thomas Removal
- (12) Jakym West-Woodson Affirm Removal

Motion Made: Board Member Vulakovich
Seconded: Board Member Clarke

Board Decision: Unanimously agreed (3-0 vote) to approve the proposed Personnel Actions

received from the Bureau of Human Resources.

Procurement Actions:

(1) Cisco Smartnet Renewal – This procurement action renews Cisco Smartnet hardware and software maintenance support (next business day) for the PLCB's Cisco network components such as switches, routers, access points, and other appliances. These components are installed in distribution centers, regional offices, PLCB Central Office, and retail locations. Cisco Smartnet coverage provides PLCB staff with telephone, online, and onsite support from a Cisco authorized maintenance vendor, software upgrade assurance, and troubleshooting assistance.

Procured via DGS Contract #4400029660 – VENDOR: **ePlus Technology Inc.** – TERM: One year for the period 11/1/2024 through 10/31/2025 - **\$54,562.08 estimated cost.**

(2) Trintech ReconNET Retail Reconciliation Renewal – ReconNET is the retail industry's leading reconciliation solution for daily reconciliation of POS/E-Commerce sales, including workflow driven "research" functionality to track/resolve discrepancies with the store/bank/credit card processor. Smart Analysis is the solution to track and monitor all bank fees being charged to the PLCB by the banks that we deal with to ensure accurate billing/no overcharges for services to take place.

Procured via DGS Contract #4400029741 – VENDOR: **CDW-G** – TERM: One year for the period 11/1/2024 through 10/31/2025 - **\$212,390.60** estimated cost.

(3) PLCB Regulatory Affairs System (PLCB+) Change Request – This Change Request will result in the construction, UAT, delivery and warranty work for the following issues: POSSE – Brand Registration of Bad Checks; POSSE – Take expiration jobs shouldn't be on active and secondary licenses; PLCB+ Make Legal Entity Address Mandatory; PLCB+ Mandatory address for managers; PLCB+/POSSE Brand Registration Issue – New Brands applied for via PLCB+ and POSSE not appearing when submitted; POSSE – PLCB+ Automate Special Occasion Permits; POSSE Incidents failing to close from the interface; POSSE – Batch renewal jobs not showing up on all versions of the license; Changing User Name on Admin Portal does not reflect in Staff Portal; POSSE – Active licenses are being closed on certain amendments and leaving the active future only; POSSE – Provide access for supplemental storage number changes on additional locations tab; Expiration Batch Job.

Procured via Change Request 63 to Contract 20121101 – VENDOR: Computronix USA, Inc. – \$101,000.00 estimated cost.

Inter-Agency Charges:

None

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

Board Decision: Unanimously agreed (3-0 vote) to approve the Procurement Actions

received from the Bureau of Accounting and Purchasing.

- (1) #1304 143 South Street, Lehighton Amendment
- (2) #1525 162 Eagleview Boulevard, Exton Amendment
- (3) #4204 66 West Mill Street, Port Alleghany Amendment
- (4) #6717 2547 Market Street, York **Exercise Option**

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

Board Decision: Unanimously agreed (3-0 vote) to approve the lease actions received from

the Office of Retail Operations.

From the Bureau of Product Management......Megan Painter, Director of Product Management

VENDOR – ITEM NAME

BOARD ACTION REQUESTED

18

1. Regular New Items Accepted Various Various 2. Regular PA New Items Accepted

3. Regular PA New Items Accepted Revision Various Various

4. Regular Recommended Delist

1. Regular New Items Accepted

BRAND NAME AND SIZE REASON

Palm Bay International

Cloud 90 by Cavit Pinot Grigio 750 mL

2. Regular PA New Items Accepted

BRAND NAME AND SIZE	REASON
Sweet Grace Distilling Co LLC	
Stateside Surfside Vodka and Green Tea 4x355 mL Cans	5, 16
Stateside Surfside Vodka and Lemonade Variety Pack 8x355	
mL Cans	4, 5, 16
Stateside Surfside Vodka and Raspberry Iced Tea 4x355 mL	
Cans	5, 16

3. Regular PA New Items Accepted Revision

Holla Watermelon Lollipop Vodka 750 mL

DD AND NAME AND CIZE

BRAND NAME AND SIZE	REASON
RESCIND	
Alloh Distilling LLC	

DEACON

10, 16

NOTE: This item was approved on the 7-10-24 board as a Regular PA New Item Accepted, the board is retracting its approval of the item.

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

4. Regular Recommended Delist

North Wales Wines New Amsterdam Pink Whitney Pink Lemonade Vodka 1 L 98648

Sweet Grace Distilling Co LLC

Stateside Vodka Soda Variety Pack 8x355 mL Cans Second 96662

Edition

The Wine Merchant LTD

Famiglie Montepulciano d'Abruzzo 750 mL 897

Wine Wine Situation LLC

Ron San Miguel Solera Rum 8 Year Old 750 mL 96101

EFFECTIVE DATE: The transference to closeout will become effective November 13, 2024

Motion Made: Board Member Vulakovich Seconded: Board Member Clarke

Board Decision: Unanimously agreed (3-0 vote) to approve the recommended product

actions received from the Bureau of Product Management.

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

None

OTHER ISSUES

None

PUBLIC COMMENT

The Board reserved 10 minutes for public comment.

No comments were offered.

NEXT BOARD MEETING

The next meeting of the PLCB will be a formal meeting on Wednesday, October 30, 2024, 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 Vulakovich and seconded by Board Member Clarke, the meeting was adjourned.

The foregoing actions are hereby of	approved.
	Chairman
	Chairman
	Member
	Member
ATTEST:	
Secretary	
•	