PENNSYLVANIA LIQUOR CONTROL BOARD MEETING MINUTES

Watch the video recording.

WEDNESDAY, OCTOBER 30, 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

The Board issued a statement of condolences on behalf of the entire Pennsylvania Liquor Control Board regarding the tragic death of Pennsylvania State Police Bureau of Liquor Control Enforcement Officer, Benjamin J. Brallier and requested a moment of silence in his honor.

A. Motion to approve previous Board Meeting Minutes of the October 16, 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 October 16, 2024 meeting.

ANNOUNCEMENT OF EXECUTIVE SESSIONS

As explained in the printed Meeting Agenda, certain matters being 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.

Jamie Wiermuth from City Distilling addressed the Board, sharing that City Distilling recently received approval to conduct in-store tastings. However, he noted that at some tastings, PLCB stores have had limited stock of their brand, making it challenging for attendees to purchase the products they sampled. Mr. Wiermuth asked if the Board could help ensure that adequate product is available following tasting events.

He also raised concerns about product placement in PLCB stores, explaining that while brands like High Noon are prominently displayed up front, their product is limited to regular shelf placement without similar visibility. He requested that the Board consider placing their products in more visible locations.

Chairman Holden suggested that Douglas Hitz, Deputy Executive Director, meet with Mr. Wiermuth after the meeting to discuss these issues in greater detail.

NEW BUSINESS

(1) Borough of Lewisburg Case No. 24-NE-11

Municipal Petition for Exemption from Liquor Code Statute Regarding Amplified Sound

Motion Made: Board Member Vulakovich Seconded: Board Member Clarke

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

exemption from the liquor code provisions governing amplified sound for

a five-year period from October 30, 2024 to October 30, 2029.

(2) Borough of Bellefonte Municipal Petition for

Case No. 24-NE-12 Exemption from Liquor Code Statute Regarding Amplified

Sound

Motion Made: Board Member Vulakovich Seconded: Board Member Clarke

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

exemption from the liquor code provisions governing amplified sound for

a five-year period from October 30, 2024 to October 30, 2029.

(3) Black Bean Pittsburgh, Inc.

239 Atwood Street Pittsburgh, PA 15213-4052 License No. R-2285 LID 64637 Resolution of Appeal Pending in the Court of Common Pleas of Allegheny 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 with a modified conditional licensing agreement.

From the Bureau of Licensing Tisha Albert, Director of Regulatory Affairs

Andrew Stuffick, Director, Bureau of Licensing

(1) A & J Hashim, Inc.

t/a Beer City

D-1844 (LID No. 68970) Case No. 24-9126 1132-1134 East Columbia Avenue Philadelphia, Philadelphia County Place-to-Place Transfer – Distributor

Motion Made: Board Member Vulakovich Seconded: Board Member Clarke

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

(2) Captain's LLC

Appointment of Manager – Hotel

H-1563 (LID No. 115141) Case No. 24-9054 616 Main Street Towanda, Bradford County

Motion Made: Board Member Vulakovich

Chairman Holden asked if anyone in the audience wished to speak on

behalf of Captain's, LLC. There was no response.

Seconded: Board Member Clarke

Board Decision: Unanimously agreed (3-0 vote) to refuse the appointment of manager.

(3) Central Executive Committee of ODWU, Inc. t/a Ukrainian Homestead Resort

CC-49944 (LID No. 108163) Case No. 24-9066

1230 Beaver Run Drive Mahoning Township Lehighton, Carbon County Request for Hearing after Administrative Cancellation – Extension of License – Catering

Appointment of Manager –

Renewal – Restaurant

Club

Motion Made: Board Member Vulakovich

Chairman Holden asked if anyone in the audience wished to speak on behalf of Central Executive Committee of ODWU, Inc. There was no

response.

Seconded: Board Member Clarke

Board Decision: Unanimously agreed (3-0 vote) to refuse the request for extension of

premises because of the presence of an intervening public thoroughfare.

Restaurant

(4) The Giant Company, LLC

R-35594 (LID No. 86292) Case No. 24-9062

700 Nutt Road

Phoenixville, Chester County

Motion Made: Board Member Vulakovich
Seconded: Board Member Clarke

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

agreement.

(5) The Inn at Centre Bridge LLC t/a The Inn at Centre Bridge

R-19626 (LID No. 111159) Case No. 24-9012

2998 River Road Solebury Township

New Hope, Bucks County

Motion Made: Board Member Vulakovich

Chairman Holden asked if anyone in the audience wished to speak on behalf

of The Inn at Centre Bridge, LLC. There was no response.

Seconded: Board Member Clarke

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

(6) Locker Entertainment Group, LLC

Renewal – Restaurant

t/a Finnegans IRC

R-2342 (LID No. 93872) Case No. 24-9015 514 Ash Street Scranton, Lackawanna County

Motion Made: Board Member Vulakovich

Chairman Holden asked if anyone in the audience wished to speak on behalf

of Locker Entertainment Group, LLC. There was no response.

Seconded: Board Member Clarke

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

(7) Room 5Five, LLC

Renewal – Restaurant

t/a Room 5Five

R-52740 (LID No. 112435) Case No. 24-9039 55 East Baltimore Avenue Lansdowne, Delaware County

Motion Made: Board Member Vulakovich

Chairman Holden asked if anyone in the audience wished to speak on behalf

of Room 5Five, LLC. There was no response.

Seconded: Board Member Clarke

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

(8) Slowdown, Inc.

Renewal – Restaurant

t/a Slowdown Grillpub

R-1258 (LID No. 57214) Case No. 24-9040 4700 Pennell Road

Marcus Hook Borough Aston, Delaware County

Motion Made: Board Member Vulakovich

Chairman Holden asked if anyone in the audience wished to speak on behalf

of Slowdown, Inc. There was no response.

Seconded: Board Member Clarke

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

(9) WSA II, LLC

Renewal – Restaurant

R-9578 (LID No. 48792) Case No. 24-9077

HOLD – 10/16/24 SESSION

411 Swedeland Road

Building 23 Upper Merion Township

King of Prussia, Montgomery County

Motion Made: Board Member Vulakovich

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 stated that although he realizes that the statute is against his client, his client still hopes to resolve remaining tax matters by the end of the year, but the current economic market makes resolution difficult.

Seconded: Chairman Holden

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

(10) C & M Entertainment, LLC

Renewal – District 3

t/a The Port Bar & Grill

R-15725 (LID No. 96572) Case No. 2023-96572

HOLD 6/26/24 SESSION

101 Jackson Street

Port Carbon, Schuylkill County

Motion Made: Board Member Vulakovich

Chairman Holden asked if anyone in the audience wished to speak on behalf

of C&M Entertainment, LLC. There was no response.

Seconded: Board Member Clarke

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

(11) Goofy's Eatery & Spirits, Inc.

Renewal – District 2

R-17886 (LID No. 24401) Case No. 2024-24401

5965 York Road

North Codorus Township

Sprint Grove, York 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) Jacobrea, LLC Renewal – District 9

R-15283 (LID No. 86407) Case No. 2023-86407

636 Main Street

Stroudsburg, 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.

(13) Jenny Heng, Inc. Renewal – District 11

t/a O'Hagan's Bar & Restaurant

R-16736 (LID No. 72952 Case No. 2023-72952 929-931 MacDade Boulevard Collingdale, Delaware County

Motion Made: Board Member Vulakovich

Seconded: Board Member Clarke

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

(14) Rumorz of Greenville, LLC Renewal – District 7

t/a Rumorz

R-16934 (LID No. 62849) Case No. 2023-62849 **HOLD 7/10/24 SESSION**

176-178 Main Street

Greenville, Mercer 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.

(15) Spagnolo Bros, LLC Renewal – District 2

t/a Red Rose Restaurant & Lounge

R-18342 (LID No. 64941) Case No. 2024-64941 **HOLD 9/11/24 SESSION**

5370 Lincoln Highway Hellam Township

York, York 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.

(16) TM Kennedy, LLC Renewal – District 2

R-14558 (LID No. 103876) Case No. 2024-103876

26 Fountain Avenue Conditional Licensing Agreement

Ellwood City, Lawrence 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.

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) Joseph Branch Affirm Removal
- (2) Zain Corley Affirm Removal
- (3) Joseph Cullen Removal
- (4) Kareem Dillard Affirm Removal
- (5) Judith Levato Removal
- (6) Eugene Maria Removal
- (7) Ryan Mastrome Removal
- (8) Lauren Mikus Affirm Removal
- (9) William Redmond Removal
- (10) Aunre Saunders Removal
- (11) Anthony Watkins Removal
- (12) Marquie Wimberly Demotion

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) 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 80000806 Option Year – VENDOR: **Philip D. Press** - TERM: One year for period 1/1/2025 through 12/31/2025 - \$150,000.00 estimated cost.

Inter-Agency Charges:

- (1) Office of Administration HR Shared Services (Job 73) The billing of \$1,000,500.00 for FY 2024-25 Q2 the LCB's allocated share of OA's HR-Enterprise Services (HR service center, training, labor relations, employee benefits, SEAP, etc.). The billing is \$76,500 (+3.5%) more than last year. The billing is allocated based on the agency's number of benefit eligible employees (BEEs). The LCB's Q2 charges represents only 3.5% of the total OA charge.
- **(2) Office of Unemployment Compensation** The billing of \$149,914.06 for reimbursement of Unemployment Compensation from FY24-25, July (\$52,931.58), August (\$43,085.17) and September (\$53,897.31).
- (3) Department of General Services (DGS) Vehicle Leases (Job 35) The billing of \$56,333.80 for July/2024 to reimburse DGS vehicle leases in accordance with Management Directive 615.3. This billing is for the 101 vehicles leased by the PLCB and includes the monthly lease costs for Telematic (GPS) devices.

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: Board Member Clarke

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

Inter-Agency charges received from the Bureau of Accounting and

Purchasing.

- 1. #2111 736 Wertzville Road, Enola Amendment
- 2. #2702 644 Elm Street, Tionesta Amendment
- 3. #2804 9 South Main Street, Mercersburg Amendment
- 4. #3904 South Mall Shopping Center, 3300 Lehigh Street, Allentown Amendment
- 5. #5801 605 Main Street, Forest City Amendment

Motion Made: Board Member Vulakovich Seconded: Board Member Clarke

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

"These items went to Board for the public meeting without pricing"

Various

1. Regular PA New Items Accepted
Various

2. Regular Recommended Delist

1. Regular PA New Items Accepted

BRAND NAME AND SIZE	REASON
Armens Barrels LLC	
Armen's Barrels Florena Gin 750 mL	16
County Seat Spirits LLC	
La Maya Blanco Agave Spirit 750 mL	16
La Maya Reposado Agave Spirit 750 mL	16
Lock Keeper Gin 750 mL	16

Epsy House Spirits	
Espy House George 1794 Straight Bourbon Whiskey 750 mL	16
Espy House Small Batch Rye Whiskey 750 mL	16
The Expert Group	
Ramhorn Distillery Ambassador Single Barrel Bourbon 4 Year Old 750 mL	16
Hazards Distillery Inc	
Hazard's Cranberry Moonshine 750 mL	16
Hazard's Honey Whiskey 750 mL	16
Heist Spirits Co.	
Golden Handcuffs Pennsylvania Bourbon 750 mL	16
Golden Handcuffs Butterfly Pea Gin 750 mL	16
Golden Handcuffs Pennsylvania Rye Whiskey 750 mL	16
Horse Hollow Distillery	4.0
Horse Hollow Distillery Jimmy Juice Juicy Pineapple Fizzy 4x355 mL Cans	16
Horse Hollow Distillery Jimmy Juice 8x355 mL Cans Variety Pack	16
Horse Hollow Distillery Jimmy Juice The Big Jim 4x355 mL Cans	16
Horse Hollow Distillery Jimmy Juice Blanco Ginger Fizzy 4x355 mL Cans	16
Lancaster Distilleries LLC	
Lancaster Distilleries Roaring Brook Bourbon 750 mL	16
Millstone Spirits Group LLC	
New Liberty Bloody Butcher Straight Bourbon 750 mL	16
Single Prop Silver Rum 750 mL	16
Single Prop Spiced Rum 750 mL	16
Mingo Creek Craft Distillers	
Old Monongahela Full Proof Rye Whiskey 750 mL	16
<u>OAStarte</u>	
O4 Limoncello 750 mL	16
621 Ambaria 750 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 Spirits17. PA Wines
- 18. Licensee only
- 19. Probationary listing

2. Regular Recommended Delist

BRAND NAME AND SIZE	<u>Code</u>
Boston Beer	
Truly Vodka Soda Classic 8x355 mL Cans Variety Pack	100028276
M. A. W. G. W. G. V.	
Majestic W S USA Inc	
Amboscato Sweet White Italy 750 mL	96370
Chateau La Commanderie Du Bardelet 750 mL	96368
Grounded by Josh Phelps Cabernet Sauvignon 750 mL	96321
The Wine Group Inc	
Sun Soaked Blueberry Moscato 750 mL	97944
Sun Soaked Caramel Apple Moscato 750 mL	97945
Sun Soaked Mango Moscato 750 mL	97956
Sun Soaked Peach Moscato 750 mL	97957
Sun Soaked Pineapple Moscato 750 mL	97958
Sun Soaked Strawberry Moscato 750 mL	97959

RECOMMENDED ACTION: We recommend the Board approve this action

Motion Made: Board Member Vulakovich Seconded: Board Member Clarke

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

received from the Bureau of Product Management.

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

None

OTHER ISSUES

Transfer to General Fund Fiscal Year 2024-25......Rodrigo Diaz, Executive Director

The Office of Budget requests a transfer of one hundred million dollars (\$100,000,000) in the month of November 2024 from the State Stores Fund to the General Fund. The Finance team will schedule when this transfer will occur.

The transfer of this prescribed amount of \$100,000,000 will be processed as authorized in Expenditure Symbol Notification Number 24-013.

Motion Made: Board Member Vulakovich Seconded: Board Member Clarke

Board Decision: Unanimously agreed (3-0 vote) to authorize the transfer of \$100M in the

month of November 2024 from the State Stores Fund to the General Fund.

Transfer to Department of Agriculture Fiscal Year 2024-25......Rodrigo Diaz, Executive Director

The Department of Agriculture requests a transfer of two million dollars (\$2,000,000.00) in the month of November 2024 from the State Stores Fund to the Department of Agriculture. The Liquor Control Board will transfer the \$2,000,000.00 for the beer and wine grants. The Finance team will schedule when this transfer will occur.

Motion Made: Board Member Vulakovich
Seconded: Board Member Clarke

Board Decision: Unanimously agreed (3-0 vote) to authorize the transfer of \$2M in the

month of November 2024 from the State Stores Fund to the Department

of Agriculture.

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, November 13, 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.

was

ADJOURNMENT

	Chairman
	Member
	Member
ATTEST:	

BOARD MESSAGE – MOMENT OF SILENCE FOR BLCE OFFICER WEDNESDAY, OCT. 30, 2024

As we begin our meeting, the Board would like to pause for a moment to recognize one of our colleagues.

On Monday, October 21, Pennsylvania State Police Bureau of Liquor Control Enforcement Officer Benjamin J. Brallier was killed while jogging off-duty in a park near Pittsburgh. Ben was just 44 years old. He leaves behind his wife of 16 years, Sarah, and two daughters, Bayleigh and Chelsea. Ben was also a son, a brother, a nephew, and a loyal friend.

Notably to us, Ben was a member of the Pennsylvania State Police, specifically the Bureau of Liquor Control Enforcement. While our two agencies are separated by role, we are connected by mission – to make sure that liquor licensees play by the rules, especially when it comes to responsible alcohol service. To that end, Ben helped make the Commonwealth of Pennsylvania a safer place.

Ben worked with BLCE for 21 years, and several members of our team knew him. Some worked closely with him. All of us are shocked by this tragic loss that took him away from his colleagues, his friends, and his family. On behalf of the entire Pennsylvania Liquor Control Board, we extend our deepest and most sincere sympathies to those who knew Ben and loved him.

We would now like to observe a moment of silence in memory of and in honor of Officer Benjamin J. Brallier.

[PAUSE FOR MOMENT OF SILENCE]

Thank you. We know that a moment of silence is only a small measure of respect that we can offer Ben. Those wishing to do more can make a contribution in Ben's name to Allegheny County Camp Cadet, a tuition-free, week-long youth camp designed to give boys and girls ages 12 to 14 who live in Allegheny County a better understanding of law enforcement activities while living in an atmosphere similar to a police training program. Camp Cadet improves teens' self-discipline, builds self-esteem and confidence, and fosters teamwork and friendship. The camp program is staffed by local Pennsylvania State Police Troopers, Allegheny County Police, Allegheny County Sheriffs and local Municipal Police Officers who serve as counselors and instructors. For more information, visit alleghenycountycampcadet.org