

# PENNSYLVANIA LIQUOR CONTROL BOARD

## MEETING MINUTES

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WEDNESDAY, JUNE 28, 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](#)

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### 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 June 7, 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**

No public comments were offered

### **NEW BUSINESS**

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

(1) Messersmith Enterprise, LLC ALJ Appeal  
t/a Bourbon Bar and Grill  
1080 Carlisle Street  
Hanover, PA 17331-1101  
Citation No. 20-0720

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 the matter be remanded.

- (2) **Messersmith Enterprise, LLC** ALJ Appeal  
**t/a Bourbon Bar and Grill**  
1080 Carlisle Street  
Hanover, PA 17331-1101  
Citation No. 20-0916

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

**Board Decision:** Unanimously agreed (3-0 vote) to affirm the ALJ's decision and the matter be remanded.

- (3) **Messersmith Enterprise, LLC** ALJ Appeal  
**t/a Bourbon Bar and Grill**  
1080 Carlisle Street  
Hanover, PA 17331-1101  
Citation No. 21-0056

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

**Board Decision:** Unanimously agreed (3-0 vote) to affirm the ALJ's decision and the matter be remanded.

- (4) **Messersmith Enterprise, LLC** ALJ Appeal  
**t/a Bourbon Bar and Grill**  
1080 Carlisle Street  
Hanover, PA 17331-1101  
Citation No. 21-0448

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

**Board Decision:** Unanimously agreed (3-0 vote) to affirm the ALJ's decision and the matter be remanded.

- (5) **Messersmith Enterprise, LLC** ALJ Appeal  
**t/a Bourbon Bar and Grill**  
1080 Carlisle Street  
Hanover, PA 17331-1101  
Citation No. 21-0503

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

**Board Decision:** Unanimously agreed (3-0 vote) to affirm the ALJ’s decision and the matter be remanded.

(6) **Allegheny Township** Municipal Petition for Exemption  
Case No. 23-NE-02 from Liquor Code Statute  
Regarding Amplified Sound

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

**Board Decision:** Unanimously agreed (3-0 vote) to approve petition filed by Allegheny Township for exemption from the Liquor Code Statute regarding amplified sound.

Chief Counsel Rod Diaz addressed the Board that a noise exemption usually has a start date included in the motion.

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

**Board Decision:** Unanimously agreed (3-0 vote) to approve petition filed by Allegheny Township for exemption from the Liquor Code Statute regarding amplified sound for a one year period from June 28, 2023, to June 28, 2024.

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

(1) **Beveridges Other Place, Inc.** Appointment of Manager –  
R-10754 (LID No. 67135) Case No. 22-9186 Restaurant  
212 West Steers Street  
Meadville, Crawford County

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

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

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- (2) **DRO, Inc.** Request for Hearing After  
**t/a Jillies** Revocation –  
R-21381 (LID No. 45906) Case No. 22-9185 Restaurant  
6820 Main Street  
P.O. Box 137  
West Fallowfield Township  
Hartstown, Crawford County
- Motion Made:** Board Member Isenhour
- Chairman Holden asked if there was anyone in the listening audience representing DRO, Inc. who wished to be recognized. There was no response.
- Seconded:** Board Member Vulakovich
- Board Decision:** Unanimously agreed (3-0 vote) to affirm the revocation and that the license remain revoked.
- (3) **18th Bar & Grill, LLC** Renewal – District 5  
R-10478 (LID No. 104498) Case No. 2023-104498  
149-153 South 18th Street **Conditional Licensing Agreement**  
Pittsburgh, Allegheny 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.
- (4) **Aasha Beer 4 Less, LLC** Renewal – District 6  
D-994 (LID No. 73005) Case No. 2022-73005  
1006 West Chestnut Street **HOLD 5/3/23 SESSION**  
Washington, Washington 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.
- (5) **Café Franco, Inc.** Renewal – District 6  
**t/a Brewski's** **HOLD 5/3/23 SESSION**  
R-13049 (LID No. 57748) Case No. 2022-57748  
1495 Old Brodhead Road **Conditional Licensing Agreement**  
Center Township  
Monaca, Beaver County

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**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.

- (6) **Che-Kev, Inc.** Renewal – District 10  
R-2835 (LID No. 62919) Case No. 2022-62919  
4834-36 North Broad Street  
Philadelphia, Philadelphia County

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

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

- (7) **Derry Street Pub, Inc.** Renewal – District 2  
R-12671 (LID No. 59887) Case No. 2022-59887  
2312 Derry Street  
Harrisburg, Dauphin County  
**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 with a conditional licensing agreement.

- (8) **James D Gallagher, Jr** Renewal – District 6  
**d/b/a Gallaghers Pub**  
R-12372 (LID No. 40015) Case No. 2022-40015  
120 Quarry Street  
Mount Pleasant, Westmoreland County  
**HOLD 6/7/23 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.

- (9) **Hart J Distributor, Inc.** Renewal – District 6  
**t/a RJ's Beer Warehouse**  
D-277 (LID No. 69728) Case No. 2022-69728  
1217 Scalp Avenue  
North Union Township  
Johnstown, Fayette County  
**HOLD 4/5/23 SESSION**

**Motion Made:** Board Member Isenhour

Chairman Holden asked if there was anyone in the listening audience representing Hart J Distributor, Inc. who wished to be recognized. There was no response.

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**Seconded:** Board Member Vulakovich

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

- (10) **Joshua Ryan, Inc.** Renewal – District 8  
**t/a The Cell Block**  
R-13013 (LID No. 65450) Case No. 2022-65450  
154 West Third Street  
Williamsport, Lycoming County

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

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

- (11) **Lakeway Beverage, LLC** Renewal – District 8  
D-290 (LID No. 61216) Case No. 2022-61216  
3700 State Route 118  
Suite 101  
Dallas, Luzerne County
- HOLD 5/17/23 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.

- (12) **Pizzetta Pizza, Inc.** Renewal – District 4  
R-8069 (LID No. 87876) Case No. 2022-87876  
191 West Main Street  
Macungie, Lehigh County
- HOLD 3/1/23 SESSION**

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

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

- (13) **Rock House Bar and Restaurant LLC** Renewal – District 6  
R-18911 (LID No. 57625) Case No. 2022-57625  
2560 William Flynn Highway  
Clay Township  
Butler, Butler 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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*From the Bureau of Human Resources ..... Jason Lutcavage, Director of Administration  
Jennifer Haas, Director, Bureau of Human Resources*

Personnel Actions

There were 24 personnel actions presented for consideration.

- (1) Nichole Adamowicz – Affirm Removal
- (2) Kimberly Barasky – Removal
- (3) Dixie Bayaca – Affirm Removal
- (4) Kareem Bishop – Affirm Removal
- (5) Sean Bishop – Removal
- (6) Diante Brown - Removal
- (7) Latrice Crockett – Affirm Removal
- (8) Eliezer Estrada – Affirm Removal
- (9) Courte Foote – Removal
- (10) Leonard Garshnick - Removal
- (11) Jennifer Gilmore – Removal
- (12) Anthony Goines – Affirm Removal
- (13) Donald Haines – Removal
- (14) Austin Harriott – Affirm Removal
- (15) John Jennings – Affirm Removal
- (16) Kera Johnson – Affirm Removal
- (17) Delaney Kishbaugh - Removal
- (18) Zachary Koretsky – Affirm Removal
- (19) Alexander Martin – Affirm Removal
- (20) Kathy Munn – Removal
- (21) John Randell – Affirm Removal
- (22) Henry Reid – Removal

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**(23) Christiana Taylor – Affirm Removal**

**(24) Amedeo Zabala – Affirm 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  
Elizabeth Brassell, Director of Policy and Communications  
Ijeoma Ezekoye, Director, Bureau of Financial Management & Analysis*

Procurement Actions:

- (1) Steel Utility Carts** – Provide up to 325 steel utility carts to be used in FWGS stores. Individual orders will be placed against this total on an as needed basis.

Procured via IFB #270015 - **VENDOR: Thoms Wireless Construction** - **TERM:** One year for period 7/1/2023 through 6/30/2024 – **\$79,350.00 estimated cost** (cart cost - \$64,350.00 and estimated shipping cost \$15,000.00).

- (2) Cisco Meraki Catalyst 9166I and Three-Year License** - With ever increasing demand for Wi-Fi at PLCB locations, and required PCI compliancy, the wireless infrastructure must be refreshed as equipment reaches end of life/end of support. This purchase includes a 100% wireless infrastructure refresh and hardware with three years of vendor support.

Procured via DGS Contract #4400023215 – **VENDOR: Pomeroy Technologies LLC** - **\$1,249,859.00 estimated cost.**

- (3) Hearing Examiner Services** – 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 Sole Source – **VENDOR: John A. Mulroy, Esquire** – **TERM:** One year for period 9/1/2023 through 8/31/2024 - **\$150,000.00 estimated cost.**

Inter-Agency Charges:

- (1) Bureau of Commonwealth Payroll Operations (BCPO) Billing (Job 30)** – Billing of \$150,493.29 for the PLCB’s share of costs representing payroll services in FY 2020-21. The billing is based on a corrected actual payroll transaction count largely from (FY 2020). BCPO made an error over calculating another bureau in FY 2021, this resulted in under billing the PLCB last year FY 2021. The PLCB’s transaction rate with the correction is within historical means however further clarification will be requested.

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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 and Purchasing.

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

- (1) #0271 – 3408 Main Street, Munhall  
Amendment
- (2) #0940 – 855 B Pennsylvania Boulevard, Feasterville  
Amendment (Bucks County Licensee Service Center)
- (3) #1601 – 845 Main Street, Clarion  
Amendment
- (4) #4002 – 7 George Avenue, Wilkes-Barre  
Amendment
- (5) #4020 – White Haven Shopping Center, 501 Main Stret, White Haven  
Amendment
- (6) #5158 – McKeown Plaza, 6824 Rising Sun Avenue, Philadelphia  
Amendment
- (7) #9211 – Village Square Mall, 5000 Oxford Drive, Suite 100, Bethel Park  
Amendment
- (8) #4650 – 66 Gravel Pike, East Greenville  
Exercise Option (E-Commerce Service Center)
- (9) #1703 – 821 Centennial Street, Houtzdale  
Closing

**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.

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

**VENDOR – ITEM NAME**

**BOARD ACTION REQUESTED**

Various  
Various  
Various

1. Regular New Items Accepted Revision
2. Regular PA New Items Accepted
2. Regular Recommended Delist

**1. Regular New Items Accepted Revision**

**BRAND NAME AND SIZE**

**REASON**

**REVISION**

**Majestic Wine and Spirits**

Harken Chardonnay 750 mL 18

**NOTE: This item was on 5-17-23 board under incorrect supplier**

**Sutter Home Winery Inc**

Sycamore Lane Cabernet Sauvignon 1.5 L 18

Sycamore Lane Chardonnay 1.5 L 18

Sycamore Lane Pinot Grigio 1.5 L 18

**NOTE: Items were on 5-17-23 board with incorrect retail**

RECOMMENDED ACTION: We recommend the Board approve this action

**2. Regular PA New Items Accepted**

**BRAND NAME AND SIZE**

**REASON**

**Majestic Wine and Spirits**

Resurgent Botanical Whiskey Infused with Coffee Bean and Chicory Root 750 mL 16

Resurgent Botanical Whiskey Infused with Sarsaparilla Cherry and Licorice Root 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

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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

### 3. Regular Recommended Delist

<u>BRAND NAME AND SIZE</u>	<u>CODE</u>
<b><u>Brown Forman Corp</u></b> Jack Daniel's Old No 7 Green Label Tennessee Whiskey 1.75 L	8601
<b><u>Capital Wine and Spirits</u></b> Luca Bosio Dark Red Semi Sweet 750 mL	97773
<b><u>Cullari Vineyards and Winery Inc</u></b> Cullari Vineyards and Winery Black on Black 750 mL Cullari Vineyards and Winery Sweet Chambourcin 750 mL	9653 9654
<b><u>North Wales Wines</u></b> Barefoot Bubbly Prosecco 750 mL	7687
<b><u>The Wine Group Inc</u></b> Bucket List Pinot Grigio 750 mL Cupcake Vineyards Prosecco Rose 750 mL Oak Leaf Vineyards Shiraz 750 mL	401 97438 751
<b><u>Vivino Selections Inc</u></b> Fiorellino White Wine 750 mL	97709

EFFECTIVE DATE: The transference to closeout will become effective July 28, 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.

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

None

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**OTHER ISSUES**

None

**PUBLIC COMMENT**

Patti Smith from Rock the Capital asked why the Board refused the renewal for Hart J. Distributor.

After confirming with Chief Counsel Rod Diaz that he could disclose the reason, Chairman Holden explained that the licensee had multiple sales-to-minors violations.

**NEXT BOARD MEETING**

**The next meeting of the PLCB will be a formal meeting on Thursday, July 20, 2023 beginning at 11:00 A.M. Prior to the public meeting, an Executive Session or Sessions will be held for the following purposes: to discuss personnel matters; to consider the purchase or lease of real property prior to an option being obtained or prior to an agreement of purchase; to consult with legal counsel regarding litigation and similar issues; to review and discuss agency business, which, if conducted in public, would violate lawful privilege or lead to the disclosure of information confidentially protected by law, including quasi-judicial deliberations; and to engage in non-deliberative informational discussions regarding various actions and other 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.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

ATTEST:

\_\_\_\_\_  
Secretary