

PENNSYLVANIA LIQUOR CONTROL BOARD
MEETING MINUTES

WEDNESDAY, MAY 3, 2017

NORTHWEST OFFICE BUILDING, CONFERENCE ROOM 117, HARRISBURG, PA

Tim Holden, Chairman
Mike Negra, Board Member
Michael Newsome, Board Member
Charlie Mooney, Executive Director
John Stark, 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

Board Secretary John K. Stark indicated that a quorum of the Board was present and Chairman Holden called the meeting to order.

CALL TO ORDER *Chairman Holden*

Pledge of Allegiance to the Flag

OLD BUSINESS.....*Secretary Stark*

A. Motion to approve the previous Board Meeting Minutes of the April 19, 2017 meeting.

Motion Made: Board Member Negra
Seconded: Board Member Newsome

Board Decision: Unanimously approved (3-0 vote) previous Board Minutes.

PUBLIC COMMENT ON AGENDA ITEMS

There was no public comment on the printed agenda items.

NEW BUSINESS

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

(1) **Borough of Sharpsville**
Case No. 17-NE-06

Municipal Petition for
Exemption from Liquor
Code Statute Regarding
Amplified Sound

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

Motion Made: Board Member Negra
Seconded: Board Member Newsome

Board Decision: Unanimously agreed (3-0 vote) to Approve Noise Exemption from May 3, 2017 to May 3, 2018.

- (2) **Jenks Township** Municipal Petition for
Case No. 17-NE-05 Exemption from Liquor
Code Statute Regarding
Amplified Sound

Motion Made: Board Member Negra
Seconded: Board Member Newsome

Board Decision: Unanimously agreed (3-0 vote) to Approve Noise Exemption from May 3, 2017 to May 3, 2018.

- (3) **Weis Markets, Inc.** Request to Rescind
110 Rolling Ridge Drive Conditional Licensing
State College, Pennsylvania 16801-7674 Agreement
Restaurant Liquor License No. R-20680
LID 84088

Motion Made: Board Member Negra
Seconded: Board Member Newsome

Board Decision: Unanimously agreed (3-0 vote) to Approve Request to Rescind Conditional Licensing Agreement.

- (4) **Movie Tavern Theatres, LLC** Request to Modify
110 Bartlett Avenue Conditional Licensing
Exton, Pennsylvania 19341-2701 Agreement
Restaurant Liquor License No. R-15952
LID 70457

Motion Made: Board Member Negra
Seconded: Board Member Newsome

Board Decision: Unanimously agreed (3-0 vote) to Approve Request to Modify Conditional Licensing Agreement.

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*From the Bureau of Licensing Tisha Albert, Director of Regulatory Affairs
Barbara Peifer, Director, Bureau of Licensing*

- (1) **41-43 E. Princess St., Inc.** Conditional Licensing Agreement
R-18970 (LID No. 62208) Case No. 16-9096 Renewal – Restaurant
41-43 East Princess Street
York, York County **HOLD – 2/1/17 SESSION**

Motion Made: Board Member Negra
Seconded: Board Member Newsome

Board Decision: Unanimously agreed (3-0 vote) to Approve Renewal With Conditional Licensing Agreement

- (2) **Discount Beer, LLC** Request to Sell Other Items on the
D-3703 (LID No. 60981) Licensed Premises – Distributor
7200 Peach Street, Suite 490
Summit Township
Erie, Erie County

Motion Made: Board Member Negra
Seconded: Board Member Newsome

Board Decision: Unanimously agreed (3-0 vote) to Approve Request by Distributor to Sell Other Items on its Licensed Premises.

- (3) **Fase Restaurants, Inc.** New – Economic Development
t/a Souderton Train Station Restaurant
(LID No. 83946) Case No. 17-9013
2 West Broad Street
Souderton, Montgomery County

Motion Made: Board Member Negra
Seconded: Board Member Newsome

Board Decision: Unanimously agreed (3-0 vote) to Refuse Application for New Economic Development Restaurant Liquor License.

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- (4) **Original DPIR, Inc.** New – Economic Development
t/a Original Dominick’s Pizzeria & Italian Restaurant Restaurant
(LID No. 81791) Case No. 16-9103
230 Route 313
Hilltown Township
Perkasie, Bucks County

Motion Made: Board Member Negra
Seconded: Board Member Newsome

Board Decision: Unanimously agreed (3-0 vote) to Refuse Application for New Economic Development Restaurant Liquor License.

- (5) **Vault Grill & Bar, LLC** Double Transfer – Restaurant
t/a Vault Grill & Bar
R-15170 (LID No. 80909) Case No. 17-9015
24 West Market Street
Wilkes Barre, Luzerne County

Motion Made: Board Member Negra
Seconded: Board Member Newsome

Board Decision: Unanimously agreed (3-0 vote) to Approve Application for Double Transfer of Restaurant Liquor License.

- (6) **West Bank Hospitality, Inc.** Conditional Licensing Agreement
R-455 (LID No. 73326) Case No. 16-9101 Double Transfer – Restaurant
4629-31 Baltimore Avenue
Philadelphia, Philadelphia County **HOLD – 4/5/17 SESSION**

Motion Made: Board Member Negra
Seconded: Board Member Newsome

Board Decision: Unanimously agreed (3-0 vote) to Approve Application for Double Transfer of Restaurant Liquor License with Conditional Licensing Agreement.

- (7) **West Main Street, Inc.** Appointment of Manager –
t/a Mick’s All American Pub Restaurant
R-19274 (LID No. 71880) Case No. 17-9014
2201 Strickler Road
Rapho Township
Manheim, Lancaster County

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Motion Made: Board Member Negra
Seconded:

Board Decision: Hold by Board Member Negra for a Conditional Licensing Agreement.

- (8) **601 Smith's, Inc.** Conditional Licensing Agreement
R-15464 (LID No. 17343) Renewal – District 10
601 North 52nd Street
Philadelphia, Philadelphia County

Motion Made: Board Member Negra
Seconded: Board Member Newsome

Board Decision: Unanimously agreed (3-0 vote) to Approve Renewal Application with a Conditional Licensing Agreement.

- (9) **Wuzzy, Inc.** Conditional Licensing Agreement
t/a Upper Deck Sports Bar and Grill Renewal – District 11
R-19363 (LID No. 67623) Case No. 2016-67623
2621 Durham Road
Bristol Township
Bristol, Bucks County **HOLD – 1/18/17 SESSION**

Motion Made: Board Member Negra
Seconded: Board Member Newsome

Board Decision: Unanimously agreed (3-0 vote) to Approve Renewal Application with a New Conditional Licensing Agreement.

- (10) **Yes Lounge, Inc.** Renewal & Amusement Permit –
R-16286 (LID No. 68782) Case No. 2016-68782 District 8
533 Scott Street
Wilkes Barre, Luzerne County

Motion Made: Board Member Negra
Seconded:

Board Decision: Hold by Board Member Negra for a Conditional Licensing Agreement.

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(11) Delisio of York, Inc.
t/a Racehorse Tavern
R-18102 (LID No. 19132)
738 North Biesecker Road
Jackson Township
Thomasville, York County

New Tavern Gaming License

Motion Made: Board Member Negra
Seconded: Board Member Newsome

Board Decision: Unanimously agreed (3-0 vote) to Approve New Tavern Gaming License.

Following the vote on this matter, Chairman Holden asked Tisha Albert, Director of Regulatory Affairs, for an update on the total number of Tavern Gaming Licenses that have been approved by the Board. Ms. Albert indicated there are now 56 Tavern Gaming Licenses that have been approved. (After the meeting, Ms. Albert corrected the number to 57).

*From the Bureau of Human Resources Jason Lutcavage, Director of Administration
Jennifer Haas, Director, Bureau of Human Resources*

Personnel Actions

There were 5 personnel actions presented for consideration.

- (1) Darlene Fields - Removal**
- (2) Brayell Glover - Removal**
- (3) Jessica Khouri – Affirm Removal**
- (4) Sharon Patterson – Affirm Removal**
- (5) Taniesha Savage - Removal**

Motion Made: Board Member Negra
Seconded: Board Member Newsome

Board Decision: Unanimously agreed (3-0 vote) to Approve all Personnel Actions.

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*From the Bureau of Accounting & Purchasing Oren Bachman, Director of Finance
Koppolu Ravindraraj, Director, Bureau of Accounting & Purchasing*

- (1) **Wine and Spirits Data and Information Service Renewal** – Provide a multi-tiered wine and spirits data and information service that includes extensive information on all PLCB’s products. This database ties into the PLCB’s website as well as the wine and spirits store locations to allow customers to research and locate detailed information on our products plus store employees are able to use the information to advertise our products.

Procured via PO 63011078 Option Year Three (3) – **VENDOR: Grinsfelder Software Company** – **TERM: One (1) year** for the period 8/1/2017 through 7/31/2018 – **\$96,000.00 estimated cost.** Renewal cost remains the same at \$8,000.00 a month.

- (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.

Procured via PO 63015244 Option Year One (1) – **VENDOR: Jodi Isenberg** – **TERM: One (1) year** for the period 7/14/2017 through 6/13/2018 – **\$150,000.00 estimated cost.** Renewal cost remains the same at \$150,000.00 a year.

- (3) **Lexmark Printers** – Provide five-hundred (500) Lexmark MS610dtn printers for five-hundred (500) Fine Wine & Good Spirit stores to replace current printers due to aging and increased maintenance calls. The new printers will have lower consumable prices also.

Procured via DGS Statewide Contract #4400011826 – **VENDOR: CDW-G** – **\$207,500.00 estimated cost.**

- (4) **Mx925 Pin Pads with Advanced Replacement Plan** – Provide one-hundred (100) Mx925 pin pads with Advanced Replacement Plan to be used as a contingency plan in case of network failure during the Verifone Remote Key injection required for the credit card processor transition from PNC to Santander.

Procured via DGS Statewide Contract #4400016084 – **VENDOR: First Data** – **TERM: Three (3) years** – **\$76,000.00 estimated cost.**

- (5) **HP Notebooks** – Provide one-hundred ten (110) HP ProBook 650 G3 Notebooks with a four (4) year warranty to replace an aging population of laptops that cannot be upgraded to the current operating system Windows 10.

Procured via Request for Quote #20170425 against DGS Statewide Contract #61000026342 – **VENDOR: HP, Inc.** – **TERM: Four (4) years** – **\$145,138.40 estimated cost.** All qualified suppliers were solicited but only one (1) quote was received.

- (6) **Symantec NetBackup Software Maintenance Renewal** – Provide Symantec NetBackup software maintenance, the PLCB’s tape backup software solution for ongoing technical support, patching and upgrades.

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Procured via DGS Statewide Contract #4400004253 – VENDOR: **Carasoft Technology Corp.** – TERM: One (1) year for the period 7/1/2017 through 6/30/2018 – **\$51,769.60 estimated cost.** This renewal is a co-term of three POs: 63016098-\$8,370.19; 63015852-\$19,198.43; and 63015435-\$35,584.59.

Motion Made: Board Member Negra
Seconded: Board Member Newsome

Board Decision: Unanimously agreed (3-0 vote) to Hold Item # 1 to gather more information and to Approve Items #s 2 through 6.

From the Office of Retail Operations..... Carl Jolly, Director of Retail Operations

- 1. **#0929 – 4275 County Line Road, Chalfont
Amendment**
- 2. **#4304 – 535 Greenville Road, Mercer
Amendment**
- 3. **#4017 – Plains Plaza, 21 North River Street, Wilkes-Barre
Relocation w / Extra Space**

Motion Made: Board Member Negra
Seconded: Board Member Newsome

Board Decision: Unanimously agreed (3-0 vote) to Approve all Retail Operations Actions.

*From the Bureau of Product SelectionDale Horst, Director of Marketing & Merchandising
Tom Bowman, Director, Bureau of Product Selection*

1. Regular PA Spirits New Items Accepted

<u>BRAND NAME AND SIZE</u>	<u>REASON</u>
<u>Constellation Brands Inc</u> SVEDKA Citron Vodka 750 ML	8
<u>McCormick Distilling Co Inc</u> Hussong’s Reposado Tequila 750 ML	10

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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

2. Regular Recommended Delist Retail Reductions May 2017

<u>BRAND NAME AND SIZE</u>	<u>CODE</u>
<u>Jim Beam Brands Co</u>	
Jim Beam Black Straight Bourbon Whiskey 200 ML	1078
<u>Southern Wine Spirits PA</u>	
Appleton Estate Special Gold Jamaican Rum 750 ML	4637

EFFECTIVE DATES: The transference to closeout became effective April 24, 2017

RECOMMENDED ACTION: We recommend the Board approve this action

Motion Made: Board Member Negra
Seconded: Board Member Newsome

Board Decision: Unanimously agreed (3-0 vote) to Approve all Bureau of Product Selection / Marketing Actions.

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

None

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OTHER ISSUES

PA Wine Marketing and Research Program Board.....Oren Bachman, Director of Finance

Section 21 of Act 39 provides that the PA Liquor Control Board shall allocate \$1 million annually to the PA Wine Marketing and Research Program Board (PWMRPB) for grants in the areas of agricultural research, wine marketing, and education. The PA Liquor Control Board received 13 grant applications from the PA Wine Marketing and Research Program Board totaling \$999,394.

Board Secretary, John Stark, identified the 13 grant applications as follows:

Grant Project	Grantee	Grant Amount
<i>Marketing:</i> Pennsylvania Wine Land marketing and promotions	Pennsylvania Winery Association & SWELL, LLC	\$495,000
<i>Marketing:</i> Pennsylvania Wine Trail Grants to enable promotion and development of individual trails and regions	Pennsylvania Winery Association & SWELL, LLC	\$220,000
<i>Marketing:</i> Pennsylvania Wine Month marketing and promotions	Pennsylvania Winery Association & SWELL, LLC	\$100,000
<i>Research:</i> Effect of maceration parameters on white wine quality made from interspecific hybrid grapes (<i>Vitis</i> spp.)	Penn State College of Agricultural Sciences	\$45,162
<i>Research:</i> Sensory characterization of Riesling wines from different Pennsylvania regions with a trained panel and winemakers	Penn State College of Agricultural Sciences	\$40,000
<i>Research:</i> The impact of chemical and sensory wine quality by two different frost avoidance strategies	Penn State College of Agricultural Sciences	\$23,300
<i>Research:</i> Does delaying bud burst reduce the risk of frost damage while maintaining grape and wine quality? Comparing the effectiveness of pruning time and Amigo oil application.	Penn State College of Agricultural Sciences	\$18,558
<i>Research:</i> Defining the effects of meso- and microclimatic factors on rotundone accumulation in Noiret wine grapes	Penn State College of Agricultural Sciences	\$15,088
<i>Research:</i> The mechanization of early leaf removal for enhanced adoption into bunch rot control programs in Pennsylvania	Penn State College of Agricultural Sciences	\$12,706
<i>Research:</i> Survey for Grapevine Leafroll Viruses in Pennsylvania	Penn State College of Agricultural Sciences	\$11,940

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<i>Research:</i> Residual decline and efficacy of commonly used insecticides against spotted wing drosophila in Pennsylvania wine grapes	Penn State College of Agricultural Sciences	\$6,786
<i>Research:</i> Analysis of invasive insect pests in the Lake Erie region to characterize abundance and seasonal emergence patterns	Penn State College of Agricultural Sciences	\$4,854
<i>Education:</i> 2017 Pennsylvania Wine Marketing and Research Board Symposium	Penn State Extension & Pennsylvania Winery Association	\$6,000

Chairman Holden spoke about the grants in general and is glad the PLCB is able to be a partner in this endeavor.

Motion Made: Board Member Negra
Seconded: Board Member Newsome

Board Decision: Unanimously agreed (3-0 vote) to Approve the 13 Grant Applications from the PA Wine Marketing and Research Program Board totaling \$999,394.00.

CITIZEN COMMENT/BUSINESS FROM THE FLOOR

None

NEXT BOARD MEETING

The next meeting of the PLCB will be a formal meeting on Wednesday, May 17, 2017 beginning at 11:00 A.M. Prior to the public meeting, there will be an Executive Session to discuss matters of personnel and to engage in non-deliberative informational discussions, some of which are regarding actions and matters which have been approved at previous public meetings.

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ADJOURNMENT

On a motion by Board Member Negra, seconded by Board Member Newsome, the meeting was adjourned.

The foregoing actions are hereby officially approved.

Chairman

Member

Member

ATTEST:

Secretary