

**PENNSYLVANIA LIQUOR CONTROL BOARD**  
**MEETING AGENDA**

**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](#)

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*Notice: Anyone who wishes to comment on a printed agenda item prior to official action being taken must make that known to the Chairman or the Board Secretary in advance. Board Secretary Michael Vigoda can be reached by phone at 717-787-8896 or email at [mvigoda@pa.gov](mailto:mvigoda@pa.gov)*

*Details for the Microsoft Teams meeting on October 16, 2024 can be found on the PLCB public website.*

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**EXECUTIVE SESSIONS**

In accordance with section 708 of the Sunshine Act, 65 Pa. C.S. § 708, on the morning of and/or the day immediately preceding the Public Meeting set forth herein, the Pennsylvania Liquor Control Board will be holding a closed Executive Session or Sessions in the Northwest Office Building 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 its 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.

**PUBLIC MEETING – 11:00 A.M**

**CALL TO ORDER** ..... *Chairman Holden*

Pledge of Allegiance to the Flag

**OLD BUSINESS**.....*Secretary Vigoda*

- A. Motion 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 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.

Note: This agenda is complete at the time of issuance but other issues may be added and others stricken without further notice.

**PUBLIC COMMENT**

The Board has reserved 10 minutes for public comment.

**NEW BUSINESS**

*From the Office of Chief Counsel ..... Jason Worley, Chief Counsel*

- (1) **Bourbon at the Mill, LLC**  
4797 York Road  
New Oxford, PA 17350-9401  
License No. R-17232  
LID 98588  
Resolution of Appeal Pending in the Court  
of Common Pleas of Adams County
  
- (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
  
- (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

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

- (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
  
- (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

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| <p>(3) <b>Kalinowski Management, LLC</b><br/><b>t/a Rumrunnerz Bar &amp; Grill</b><br/>R-2580 (LID No. 62362) Case No. 24-9047<br/>600 East Drinker Street<br/>Dunmore, Lackawanna County</p> | <p>Requests for Hearing After<br/>Revocation and <i>Nunc Pro Tunc</i> –<br/>Extension of Safekeeping –<br/>Restaurant</p> |
| <p>(4) <b>La Choza Restaurant &amp; Catering, LLC</b><br/><b>t/a La Choza</b><br/>(LID No. 118396) Case No. 24-9036<br/>710 State Road<br/>Bristol Township<br/>Croydon, Bucks County</p>     | <p>New – Economic Development<br/>Restaurant</p>  |
| <p>(5) <b>Preetis Pitt, LLC</b><br/>R-8370 (LID No. 89514) Case No. 24-9042<br/>2701-2703 Penn Avenue<br/>Pittsburgh, Allegheny County</p>  | <p>Extension of License – Restaurant</p>  |
| <p>(6) <b>WSA II, LLC</b><br/>R-9578 (LID No. 48792) Case No. 23-9130<br/>411 Swedeland Road<br/>Building 23<br/>Upper Merion Township<br/>King of Prussia, Montgomery County</p>             | <p>Request for Hearing After<br/>Administrative Cancellation –<br/>Appointment of Management<br/>Company – Restaurant</p> |
| <p>(7) <b>WSA II, LLC</b><br/>R-9578 (LID No. 48792) Case No. 24-9077<br/>411 Swedeland Road<br/>Building 23<br/>Upper Merion Township<br/>King of Prussia, Montgomery County</p>             | <p><b>HOLD – 9/25/24 SESSION</b><br/>Renewal – Restaurant</p>   |
| <p>(8) <b>3BM, LLC</b><br/><b>t/a 202 Hometown Tacos</b><br/>R-3508 (LID No. 96741) Case No. 2023-96741<br/>407 Lincoln Avenue<br/>Bellevue, Allegheny County</p>                             | <p>Renewal – District 5<br/><b>HOLD 3/20/24 SESSION</b><br/><b>Conditional Licensing Agreement</b></p>                    |
| <p>(9) <b>5<sup>th</sup> Year, Inc.</b><br/>R-13001 (LID No. 91815) Case No. 2023-91815<br/>116 Oakland Avenue<br/>Pittsburgh, Allegheny County</p>   | <p>Renewal – District 5</p>   |
| <p>(10) <b>227 Yvonne, Inc.</b><br/>E-1100 (LID No. 57667) Case No. 2023-57667<br/>227 Main Street<br/>Darby, Delaware County</p>   | <p>Renewal – District 11</p>  |

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- (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
- (12) **2187 McIntyre Enterprises, LLC** Renewal – District 6  
R-4682 (LID No. 108647) Case No. 2024-108647  
2187 McIntyre Road **Conditional Licensing Agreement**  
Young Township  
McIntyre, Indiana County
- (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
- (14) **DND Grill, LLC** Renewal – District 4  
R-3714 (LID No. 85893) Case No. 2024-85893  
1869 South 4<sup>th</sup> Street **HOLD 8/21/24 SESSION**  
Allentown, Lehigh County **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
- (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 **Conditional Licensing Agreement**  
Pittsburgh, Allegheny County
- (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
- (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, **Conditional Licensing Agreement**  
19 Foster Avenue  
Crafton  
Pittsburgh, Allegheny County

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| <p><b>(19) Mac’s Bros., Inc.</b><br/>D-3853 (LID No. 28137) Case No. 2023-28137<br/>924 Northern Boulevard<br/>South Abington Township<br/>Clarks Summit, Lackawanna County</p>              | <p>Renewal – District 9<br/><b>HOLD – 7/31/24 SESSION</b><br/><b>Conditional Licensing Agreement</b></p> |
| <p><b>(20) Second Base Restaurant &amp; Lounge, Inc.</b><br/>R-4694 (LID No. 67019) Case No. 2024-67019<br/>123-131 West Broad Street<br/>Hazleton, Luzerne County</p>                       | <p>Renewal – District 8</p>  |
| <p><b>(21) Siddhivinayaka Distributor, Inc.</b><br/>D-3935 (LID No. 71394) Case No. 2023-71394<br/>65 Bridge Street<br/>Tunkhannock, Wyoming County</p>                                      | <p>Renewal – District 9<br/><b>HOLD – 9/11/24 SESSION</b><br/><b>Conditional Licensing Agreement</b></p> |
| <p><b>(22) Stoish, Inc.</b><br/>R-8975 (LID No. 98359) Case No. 2024- 98359<br/>240 Market Street<br/>Philadelphia, Philadelphia County</p>  | <p>Renewal – District 10</p>   |
| <p><b>(23) Tri Entertainment, Inc.</b><br/>R-11430 (LID No. 58244) Case No. 2023-58244<br/>1510-14 East Carson Street<br/>Pittsburgh, Allegheny County</p>                                   | <p>Renewal – District 5</p>  |
| <p><b>(24) Two Boyz, Inc.</b><br/>R-20 (LID No. 68267) Case No. 2018-68267<br/>2020-68267 and 2022-68267<br/>898 Sanger Street<br/>Philadelphia, Philadelphia County</p>                     | <p>Renewal – District 10</p>   |
| <p><b>(25) Walk The Plank, Inc.</b><br/><b>t/a The Shippen Inn</b><br/>R-18709 (LID No, 71828) Case No. 2023-71828<br/>11142 Route 208<br/>Elk Township<br/>Shippenville, Clarion County</p> | <p>Renewal – District 7<br/><b>HOLD – 7/31/24 SESSION</b><br/><b>Conditional Licensing Agreement</b></p> |
| <p><b>(26) Sharyn L Williams Angelo F Perigo</b><br/><b>t/a Sharwood Lounge</b><br/>R-14384 (LID No. 60592) Case No. 2023-60592<br/>470 Broadway<br/>Pitcairn, Allegheny County</p>          | <p>Renewal – District 5<br/><b>HOLD – 4/10/24 SESSION</b><br/><b>Conditional Licensing Agreement</b></p> |

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

Personnel Actions

*From the Bureau of Accounting & Purchasing ..... Rodrigo Diaz, Executive Director  
Melinda John, Chief, Purchasing & Contracting Administration  
Ijeoma Ezekoye, Director, Bureau of Financial Management & Analysis*

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.**

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Inter-Agency Charges:

None

*From the Office of Retail Operations..... Rodrigo Diaz, Executive Director*

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

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

**VENDOR – ITEM NAME**

Various  
Various  
Various  
Various

**BOARD ACTION REQUESTED**

- 1. Regular New Items Accepted
- 2. Regular PA New Items Accepted
- 3. Regular PA New Items Accepted Revision
- 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

18

**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  
Stateside Surfside Vodka and Lemonade Variety Pack 8x355  
mL Cans  
Stateside Surfside Vodka and Raspberry Iced Tea 4x355 mL  
Cans

5, 16  
4, 5, 16  
5, 16

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### 3. Regular PA New Items Accepted Revision

<u>BRAND NAME AND SIZE</u>	<u>REASON</u>
<b>RESCIND</b>	
<u>Alloh Distilling LLC</u>	
Holla Watermelon Lollipop Vodka 750 mL	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

<u>BRAND NAME AND SIZE</u>	<u>CODE</u>
<u>North Wales Wines</u>	
New Amsterdam Pink Whitney Pink Lemonade Vodka 1 L	98648
<u>Sweet Grace Distilling Co LLC</u>	
Stateside Vodka Soda Variety Pack 8x355 mL Cans Second Edition	96662
<u>The Wine Merchant LTD</u>	
Famiglie Montepulciano d'Abruzzo 750 mL	897
<u>Wine Wine Situation LLC</u>	
Ron San Miguel Solera Rum 8 Year Old 750 mL	96101

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



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

None

**OTHER ISSUES**

**PUBLIC COMMENT**

The Board has reserved 10 minutes for public comment.

**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**

## **Informational Statements to be included in the Public Meeting Agenda**

### **For ALJ Cases:**

These cases are appeals taken from adjudications rendered by an Administrative Law Judge (ALJ) in citation proceedings initiated by the Pennsylvania State Police, Bureau of Liquor Control Enforcement in accordance with section 471 of the Liquor Code, 47 P.S. § 4-471.

In all of these matters, an administrative hearing has already been held before an ALJ during which the parties were given the opportunity to present sworn testimony and other evidence, as well as to make legal arguments, in support of their respective positions.

The Board must affirm the ALJ unless the ALJ's decision is an error of law, an abuse of discretion or is not supported by substantial evidence. In some instances where noted, it may also be necessary for the Board to remand the matter back to the ALJ for additional action to be taken. In that the Board is acting in its quasi-judicial (appellate) capacity, deliberations on these matters may have already occurred during authorized executive sessions.

The reasoning for any final decision by the Board on these matters will be set forth in a publicly issued written opinion which will be released immediately after the Board session. Any party aggrieved by the Board's decision has the right to pursue an appeal to the applicable county court of common pleas in accordance with the Liquor Code.

### **For Application Matters such as New Licenses, Transfers of Existing License, or Extension of Premises:**

In all of these matters, an administrative hearing - open to the public - has already been held before a Board-assigned hearing examiner. All interested parties, including the applicant, the Bureau of Licensing, and valid protesters and/or intervenors, were given the opportunity to present sworn testimony and other evidence, as well as to make legal arguments, in support of their respective positions. The Board has reviewed the administrative record created before the hearing examiner along with any briefs submitted by the parties, as well as the recommendations made by the assigned hearing examiner and the Board's legal counsel. In that the Board is acting in its quasi-judicial capacity, deliberations on these matters may have already taken place during authorized executive sessions.

In each case, the Board may either vote to approve the application outright, vote to approve the application subject to a conditional licensing agreement setting forth specific conditions agreed upon by the parties and which are reasonably intended to address specific concerns made part of the record, or vote to refuse the application its entirety. For any case in which the Board would like additional time to review the record prior to making its decision, the Board reserves the right to place a hold on such matter in which case "official action" will not be taken until a future Board meeting.

Any party aggrieved by the Board's decision has the right to pursue an appeal to the applicable county court of common pleas in accordance with the Liquor Code, or, in certain circumstances, directly to the Commonwealth Court. In the event that an appeal is filed, the Board, as required by the Liquor Code, will file a written opinion setting forth the specific reasoning for its decision.

**For License Renewal Cases:**

These cases involve applications for renewal of licenses to which the Bureau of Licensing has raised objections. In all of these matters, an administrative hearing - open to the public - has already been held before a Board-assigned hearing examiner. The parties were given the opportunity to present sworn testimony and other evidence, as well as make legal arguments. The Board has reviewed the administrative record created before the hearing examiner along with any briefs submitted by the parties, as well as the recommendations made by the assigned hearing examiner and the Board's legal counsel. In that the Board is acting in its quasi-judicial capacity, deliberations on these matters may have already taken place during authorized executive sessions.

In each case, the Board may either vote to approve renewal of the license outright, vote to approve renewal of the license subject to a conditional licensing agreement setting forth specific conditions agreed upon by the parties and which are reasonably intended to address the operational issues of the licensee, or vote to refuse renewal of the license in its entirety. For any case in which the Board would like additional time to review the record prior to making its decision, the Board reserves the right to place a hold on such matter in which case "official action" will not be taken until a future Board meeting.

An applicant aggrieved by the Board's decision has the right to pursue an appeal to the applicable county court of common pleas in accordance with the Liquor Code. In the event that an appeal is filed, the Board, as required by the Liquor Code, will file a written opinion setting for the specific reasoning for its decision.

**For Noise Exemption Cases:**

These matters involve municipal petitions for exemptions from the Liquor Code provisions dealing with amplified sound. In all of these matters, an administrative hearing – open to the public - has already been held before a Board-assigned hearing examiner during which the parties were given the opportunity to present sworn testimony and other evidence, as well as to make legal arguments, in support of their respective positions.

The Board has reviewed the administrative record created before the hearing examiner along with any briefs submitted by the parties, as well as the recommendations made by the assigned hearing examiner and the Board's legal counsel. In that the Board is acting in its quasi-judicial capacity, deliberations on these matters may have already taken place during authorized executive sessions.

In each case, the Board may either vote to approve the municipal petition for noise exemption outright, vote to limit its approval to a more defined area of the municipality than what is being requested, or vote to refuse the petition in its entirety. The Board must act upon a municipal petition for noise exemptions within 60 days of receiving such petition.

Any party aggrieved by the Board's decision has the right to pursue an appeal to the applicable county court of common pleas in accordance with the Liquor Code. In the event that an appeal is filed, the Board will file a written opinion setting for the specific reasoning for its decision as required by the Liquor Code.

**For All Matters in Which the Board is Acting in its Quasi-Judicial Capacity**

No additional testimony or evidence may be presented by the parties during the Board's public meeting. While the Board reserves the right to allow comments to be made by the public concerning any particular case, this is being done so with the understanding that such comments are not the equivalent of sworn testimony and, thus, will not be given any weight by the Board when rendering its decision. Additionally, the Board is not required to respond to any public comments offered, nor is it required to answer any questions concerning these matters.