

LIQUOR CONTROL BOARD FOR HARFORD COUNTY, MARYLAND
16 North Main Street, Bel Air, MD 21014

BOARD MEETING MINUTES
March 22, 2023

CALL MEETING TO ORDER

A regular meeting of the Liquor Control Board for Harford County was called to order at 9:00 a.m. by Chair Majewski at the Board's office. In attendance were Vice Chair Merchant, Commissioners Welch, Burdette, and Goddard along with Board Counsel Amy K. Finneran and W. Michael Crabbs, General Manager.

REORGANIZATION OF THE BOARD

Vice Chair Merchant nominated Paul Majewski to serve as Chair; Commissioner Welch seconded the motion. After lengthy discussion initiated by Commissioner Goddard, Commissioner Goddard nominated himself as Chair; there was no second. Roll call vote was held; there were four nay votes and one aye (by Commissioner Goddard) and the motion failed. Vice Chair Merchant moved to elect Chair Majewski as Chair of the Liquor Control Board and was seconded by Commissioner Welch. Roll call vote was held; there were three ayes and one nay (by Commissioner Goddard). The motion passed to elect Chair Majewski to continue as Chair.

Commissioner Welch nominated Commissioner Burdette as Vice Chair and Commissioner Merchant seconded. Roll call vote was held; there were four ayes and the motion passed.

ACCOUNTS PAYABLE

Commissioner Welch moved to pay the bills listed below; Commissioner Merchant seconded the motion, and the vote was unanimous.

U.S. Treasurer	Withholding	3404.55
State Comptroller	Withholding	899.78
ConnectPay	Accounting	103.75
Payroll	Payroll	7378.32
State Retirement	Retirement	530.31
Malissa Roche	Maintenance	60.00
AlphaGraphics	Printing	257.87
AlphaGraphics	Printing	91.26
The Shred Mill	Maintenance	47.50
Viabit, LLC	Computer	19.99
First Bankcard	Credit	217.22
First Bankcard	Fuel	229.56

PERSONS SCHEDULED TO APPEAR BEFORE THE BOARD

1) Saucey Enterprises, L.L.C., T/A Das Bierhalle Bel Air – Transfer Application

Shelby Stange, Member, Andrew Pipitone, Member, Paul Yosua, Member, Saucey Enterprises, L.L.C. T/A Das Bierhalle Bel Air, 119 S. Main Street, Bel Air, appeared along with their attorney, Stephan W. Fogleman, in connection with a Transfer Application for a Class BNR-BWL-On Sale Only license transferring from Brian Acquavella, President, Aqwaman 119, Inc. T/A Black-Eyed Suzie's. Interest in the L.L.C. is held as follows: Shelby Stange holds 10%; Andrew Pipitone holds 20%; Paul Yosua holds 20%; and the remainder is held by other stockholders. Shelby Stange has taken and passed the licensee test

and will serve as the Responsible Operator. Applicants will need to seek permission from the Town of Bel Air for use of the State-owned Main Street sidewalk and to the County for use of the parking lot adjacent to the building. Commissioner Goddard made a motion to approve this Transfer Application; motion was seconded by Commissioner Merchant and the vote was unanimous. A soft opening is planned for March 28.

2) Harford Restaurant Corporation T/A Silver Spring Mining Company – Supplemental Application

Jaynen Rissling, Vice President/Treasurer, Harford Restaurant Corporation T/A Silver Spring Mining Company, 705 Bel Air Road, Bel Air, appeared in proper person in connection with a Supplemental Application for this Class BNR-BWL-On Sale Only license. Interest in the corporation is held as follows: Jaynen Rissling, 10%; Timothy Strasdauskas, President/Secretary, holds 80%; and Lester Staley, Jr., holds 10%. Mr. Rissling has taken and passed the licensee test and will serve as the Responsible Operator. Vice Chair Burdette made a motion to approve the Supplemental Application; the motion was seconded by Commissioner Merchant and the vote was unanimous.

3) B K Capital, L.L.C., T/A Tutto Fresco – Change in License Class Application

Burke Burns, President, B K Capital, L.L.C. T/A Tutto Fresco, 5 Bynum Road, Forest Hill, appeared in proper person in connection with a Change in License Class Application for this Class B1-BW-On Sale Only license. Mr. Burns is requesting a change in class to B Café-BW On/Off-L On Sale Only. Mr. Burns holds 100% interest in the L.L.C. and will continue to serve as the Responsible Operator. There is a locked wine cage in the dining room that will serve as public display for beer and wine. The only outstanding item is the properly executed statement of the property owner. Motion was made by Commissioner Merchant to approve the Change in License Class Application contingent upon receipt of the properly executed and notarized property owner's statement; motion was seconded by Commissioner Goddard and the vote was unanimous.

SHOW CAUSE HEARING

1) Khodiyar, Inc. T/A 7-11 Convenience Store

Amitkumar Patel, President, Khodiyar, Inc. T/A 7-11 Convenience Store, 214 Baltimore Pike, Bel Air, appeared along with his attorney, Joseph F. Snee, Jr., in connection with a show cause hearing indicating violation of the following:

Charge 1 - Board Rule 2:06(c)(6) which states, "That the Resident Applicant shall be physically present on the premises for a substantial amount of time on a daily basis (a minimum of 30 hours per week)." and

Md. Code Ann., Alcoholic Beverages Article, Section 22-1405(a)(4)(iii) which states, "The resident applicant shall be physically present on the premises for a substantial amount of time on a daily basis."

Charge 2 - Did violate Board Rule 3:10(a) which states, "A license holder shall operate the licensed premises in such a manner as to avoid disturbing the peace, health, safety, and welfare of the community."

Charge 3 - Did violate Board Rule 3:14(a) – Alcohol Awareness Training (Md. Code Ann., Alcoholic Beverages Article Section 22-1903(a) and Section 4-505(f)(1)(iii)) which states:

"The license holder or an individual designated by the license holder who is employed in a supervisory capacity shall be certified by a state-approved alcohol awareness program; and be present on the licensed premises during the hours in which alcoholic beverages may be sold." and

Board Rule 3:14(c): "On request, a valid certificate shall be presented to the Board, a representative of the Board, or any federal, state, or local law enforcement agency."

Also see Md. Code Ann., Alcoholic Beverages Article, Section 22-1903(a), which states, "The license holder or an individual designated by the license holder who is employed in a supervisory capacity shall be:

1. certified by an approved alcohol awareness program; and
2. present on the licensed premises during the hours in which alcoholic beverages may be sold."

Subsequent to the Hearing, the Board considered all the evidence presented. Based upon the statement of facts (i.e., the written report of Board Inspector William Colburn), as well as applicable License Holder's testimony and with further consideration to License Holder's relevant past record (if any), the Board made the following findings:

On Charge 1, motion was made by Commissioner Goddard and seconded by Commissioner Merchant to find License Holder in violation; the vote was unanimous. Motion was made by Commissioner Goddard and seconded by Commissioner Welch to assess a penalty of \$1,000.00; the vote was unanimous.

On Charge 2, motion was made by Commissioner Goddard and seconded by Commissioner Welch to find License Holder in violation; the vote was unanimous. Motion was made by Commissioner Goddard and seconded by Commissioner Welch to assess a penalty of \$1,000.00; the vote was unanimous.

On Charge 3, motion was made by Commissioner Goddard and seconded by Commissioner Welch to find License Holder in violation; the vote was unanimous. Motion was made by Commissioner Goddard and seconded by Vice Burdette to assess a penalty of \$250.00; the vote was unanimous.

ADMINISTRATIVE BUSINESS

1) American Legion 128, Inc. T/A Bernard L. Tobin Post 128 – Supplemental Application

American Legion 128, Inc. T/A Bernard L. Tobin Post 128, 44 North Parke Street, Aberdeen, has submitted a Supplemental Application for their Class C1-BWL-On Sale Only license. The purpose of the application is to remove Robert Hanson and replace him with Michael Armijo, Finance Officer, due to club elections. Motion was made by Vice Chair Burdette to approve the Supplemental Application. Commissioner Merchant seconded the motion, and the vote was unanimous.

2) Crab Wreckers, Inc. T/A Conrad's Seafood Restaurant Abingdon – Outside Event Application

Crab Wreckers, Inc. T/A Conrad's Seafood Restaurant Abingdon, 3414 Merchant Boulevard, Abingdon, has submitted an Outside Event Application to be used on April 2 for their "Oysterfest" on the west side of their parking lot. Motion was made by Commissioner Merchant and seconded by Vice Chair Burdette to approve the application, and the vote was unanimous.

3) 2023-2024 Annual Budget

The proposed budget for fiscal year 2023-2024 was distributed and reviewed. After lengthy discussion, Commissioner Welch moved to approve the 2023-2024 fiscal year budget; Vice Chair Burdette seconded the motion. A roll call vote was held; there were four ayes and one nay (Commissioner Goddard); the motion passed.

RENEWALS TO BE APPROVED

The Board approved sixty-five renewals that were presented (report attached).

PER DIEM BEER & WINE LICENSES TO BE APPROVED BY THE BOARD

1) R. Madison Mitchell Ducks Unlimited – Annual Dinner & Auction – 04/15


Submitted by Merrill Dougherty, Sr., and Darlene Dougherty on behalf of R. Madison Mitchell Ducks Unlimited for their annual dinner and auction to be held at the Havre de Grace Community Center on April 15. Motion was made by Vice Chair Burdette and seconded by Commissioner Merchant to approve the application and the vote was unanimous.

STAFF REPORT / PUBLIC COMMENT / BOARD COMMENT


General Manager Crabbs and Inspector Colburn reported that Bel Air Police Department is interested in participating in the “Cops in Shops” program once there is an increase in their manpower.

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned.



Paul J. Majewski, II, Chair



Mary Sporre, Secretary