

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

BOARD MEETING MINUTES
August 25, 2021

CALL MEETING TO ORDER

Meeting was called to order by Chair Tilley. In attendance were Vice Chair Majewski and Commissioners Merchant, Welch, and Burdette along with Board Counsel Amy K. Finneran and Judith Powell.

MINUTES

Motion was made and seconded to approve the Minutes for July 28; the vote was unanimous.

ACCOUNTS PAYABLE

Harford Bank	Withholding	1582.36
Comptroller of MD	Withholding	459.35
Payroll	Payroll	3797.90
It's PayDay	Accounting	70.00
MD State Retirement	Retirement	489.55
VIABIT LLC	Maintenance	180.00
Proshred Security	Maintenance	50.00

PERSONS SCHEDULED TO APPEAR BEFORE THE BOARD

1) First-Time Applicant - Havre de Grace Maritime Museum – Shrimp & BBQ Fest – 09/11

First-Time Applicant Juliette Moore was scheduled to appear on behalf of Havre de Grace Maritime Museum but was not present due to illness, however, Co-Applicant Bruce Russell, did appear in connection with a per diem beer and wine application for a Shrimp & BBQ Fest to be held on September 11 at Frank J. Hutchins Memorial Park. The Board determined that “yellow security tape” was not a sufficient containment and snow fencing or metal bike racks must be used. Motion was made and duly seconded to approve the application; the vote was unanimous.

2) First-Time Applicant – Susquehanna Flats Chapter of Delta Waterfowl – Bull & Shrimp Banquet – 09/18

First-Time Applicant Jeff Addicks appeared on behalf of Susquehanna Flats Chapter of Delta Waterfowl in connection with a per diem beer and wine application for a Bull & Shrimp Banquet to be held on September 18 at the Havre de Grace Community Center. Motion was made and duly seconded to approve the application; the vote was unanimous.

3) First-Time Applicants – Friends of Alison Healey – Political Fundraiser – 09/24

First-Time Applicants Alison Healey and Emma Hohner appeared on behalf of Friends of Alison Healey in connection with a per diem beer and wine application for a political fundraiser to be held on September 24 at the Fallston Volunteer Fire Company. Motion was made and duly seconded to approve the application; the vote was unanimous.

4) Get It Done, L.L.C., T/A The Local – New License Hearing

Robert L. Windsor, Member, Get It Done, L.L.C. T/A The Local, 1918 Bel Air Road, Unit BC, Fallston, MD 21047, appeared along with his attorney John A. Pica, in connection with an Application for a new license. Ms. Finneran advised that Shaffer, McLaughlin & Stover, L.L.C., has submitted a protest letter, however, Board Rule 2:16 requires that anyone protesting the issuance of a license must state their full name and address and this protest letter does not indicate same. Ms. Finneran advised that there was nothing in the letter that indicated a valid reason to keep the hearing from moving forward. In addition, no one was present to protest the issuance of this license.

Mrs. Powell advised that this application was filed for a BNR license which requires a capital investment of \$250,000 in new dining room facilities and newly installed kitchen equipment. In addition, at the Board's discretion, used equipment may be included as long as that equipment is no more than 2 years old.

Unfortunately, staff has not been able to verify how much, if any, of the equipment included under one of the invoices is new, and any used equipment appears to have been in place when the previous restaurant business was operating, which opened in 2015 or 2016. This invoice represents a substantial portion of the required investment.

In light of this, and after much discussion, it was determined that the best way to proceed was to bring the applicants in today and see if the Board would be willing to consider approving a Class B Cafe BW On/Off, Liquor On Sale Only license instead of the BNR. Lastly, an Outside Service Area application was submitted for the Board's approval as well.

Mr. Windsor holds 12.5% interest in the L.L.C. with the remaining 87.5% held by Evolved Hospitality, L.L.C. Mr. Windsor will serve at the Responsible Operator and has taken and passed the licensee test. Applicant requests that seating be established at 64 seats. Request for additional seating would require submission of a new application.

Motion was made to approve the Class B Cafe BW On/Off, Liquor On Sale Only license with maximum seating capacity set at 64 seats and was duly seconded; the vote was unanimous.

Motion was made to approve the Outside Service Area Application and was duly seconded; the vote was unanimous.

SHOW CAUSE HEARINGS

1) Mint 1, Inc., T/A The Mint Room (responsible operator)

Shailja Anand, President, Rayshad Beepath, Assistant Secretary, Mint 1, Inc. t/a The Mint Room, 528 Baltimore Pike, Bel Air, MD 21014 appeared along with their attorney Joseph F. Snee, Jr., in connection with a show cause hearing indicating violation of:

- i. Failure of resident licensee (Responsible Operator) to be physically present on the premises a substantial amount of time on a daily basis, in violation of Alcoholic Beverage Article (AB) § 22-1405(a) of the Annotated Code of Maryland ("Code") and Board Rule 2:06(c)(6).

The violations are alleged to have occurred April 29, 2021, and May 26, 2021.

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 testimony, and with further consideration to License Holder's relevant past record (if any) motion was made and duly seconded to find License Holder in violation of the Alcoholic Beverage Article ("AB") § 22-1405(a) of the Annotated Code of Maryland ("Code") and Board Rule 2:06(c)(6); the vote was unanimous. Motion was made and duly seconded to fine License Holder \$750.00; the vote was unanimous.

2) R & R Catering, Inc. T/A Prost German Restaurant (sale to underage 6/4)

Richard Baruschka, President, Renate Baruschka, Secretary/Treasurer, R & R Catering, Inc. t/a Prost German Restaurant, 102 N. Rogers St., Aberdeen, MD 21001 appeared in connection with a show cause letter indicating violation of:

- i. Sale and/or provision of alcoholic beverages to an individual under the legal drinking age of twenty-one (21) years in violation of Alcoholic Beverage Article (AB) § 6-304 of the Annotated Code of Maryland ("Code") and Board Rule 4:01.

The violation is alleged to have occurred on June 4, 2021.

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 testimony, and with further consideration to License Holder's relevant past record (if any) motion was made and duly seconded to find License Holder in violation of the Alcoholic Beverage Article ("AB") § 6-304 of the Annotated Code of Maryland ("Code") and Board Rule 4:01; the vote was unanimous. Motion was made and duly seconded to fine License Holder \$250.00; the vote was unanimous.

3) Cara, Inc. T/A Enotria Restaurant & Grill (sale to underage 6/4)

Carlo Fortunato, President, Cara, Inc. t/a Enotria Restaurant & Grill, 2 Newport Drive, Forest Hill, MD 21050 appeared in connection with a show cause letter indicating violation of:

- i. Sale and/or provision of alcoholic beverages to an individual under the legal drinking age of twenty-one (21) years in violation of Alcoholic Beverage Article (AB) § 6-304 of the Annotated Code of Maryland ("Code") and Board Rule 4:01.

The violation is alleged to have occurred on June 4, 2021.

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 testimony, and with further consideration to License Holder's relevant past record (if any) motion was made and duly seconded to find License Holder in violation of the Alcoholic Beverage Article ("AB") § 6-304 of the Annotated Code of Maryland ("Code") and Board Rule 4:01; the vote was unanimous. Motion was made and duly seconded to fine License Holder \$1,000.00; the vote was unanimous.

4) Ken's Crab House, Inc. T/A Baldwin's Seafood Restaurant & Lounge (sale to underage 7/21)

Charles Baldwin, President/Treasurer, Sheila Baldwin, Vice President/Secretary, Ken's Crab House, Inc. t/a Baldwin's Seafood Restaurant & Lounge, 525 Pulaski Highway, Joppa, MD 21085 appeared in connection with a show cause letter indicating violation of:

- i. Sale and/or provision of alcoholic beverages to an individual under the legal drinking age of twenty-one (21) years in violation of Alcoholic Beverage Article (AB) § 6-304 of the Annotated Code of Maryland ("Code") and Board Rule 4:01.
- ii. Did have an employee under the age of 21 years, who was not the son or daughter of the owner of the licensed premises, act as a bartender or serve alcoholic beverages at a permanent full-service bar in violation of Alcoholic Beverage Article (AB) §22-1902 of the Annotated Code of Maryland and Board Rule 4:16.

The violations are alleged to have occurred on July 21, 2021.

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 testimony, and with further consideration to License Holder's relevant past record (if any) motion was made and duly seconded to find License Holder in violation of the Alcoholic Beverage Article ("AB") § 6-304 of the Annotated Code of Maryland ("Code") and Board Rule 4:01; the vote was unanimous. Motion was made and duly seconded to fine License Holder \$750.00; the vote was unanimous.

Additionally, motion was made and duly seconded to find License Holders in violation of Alcoholic Beverage Article (AB) §22-1902 of the Annotated Code of Maryland and Board Rule 4:16 and to issue a fine of \$250.00; the vote was unanimous.

5) GT Bel Air, L.L.C. T/A The Greene Turtle (sale to underage 7/21)

Charles, Koenig, Member, Mynor Hernandez, Member, Jamil Jamaldinian, Member GT Bel Air, L.L.C. T/A The Greene Turtle, 696 Bel Air Road, Bel Air, MD 21014 appeared in connection with a show cause letter indicating violation of:

- i. Sale and/or provision of alcoholic beverages to an individual under the legal drinking age of twenty-one (21) years in violation of Alcoholic Beverage Article (AB) § 6-304 of the Annotated Code of Maryland ("Code") and Board Rule 4:01.

The violation is alleged to have occurred on July 21, 2021.

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 testimony, and with further consideration to License Holder's relevant past record (if any) motion was made and duly seconded to find License Holder in violation of the Alcoholic Beverage Article ("AB") § 6-304 of the Annotated Code of Maryland ("Code") and Board Rule 4:01; the vote was unanimous. Motion was made and duly seconded to fine License Holder \$1,000.00; the vote was unanimous.

6) Venetian Haco, L.L.C. T/A Venetian Palace (sale to underage 7/21)

Minas Hatziminas, Member, Nick George Hatzinicholas, Member, Venetian Haco, L.L.C. T/A Venetian Italian Eatery, 1901 Tree Top Drive , Edgewood, Maryland 21040 appeared in connection with a show cause letter indicating violation of:

- i. Sale and/or provision of alcoholic beverages to an individual under the legal drinking age of twenty-one (21) years in violation of Alcoholic Beverage Article (AB) § 6-304 of the Annotated Code of Maryland ("Code") and Board Rule 4:01.

The violation is alleged to have occurred on July 21, 2021.

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 testimony, and with further consideration to License Holder's relevant past record (if any) motion was made and duly seconded to find License Holder in violation of the Alcoholic Beverage Article ("AB") § 6-304 of the Annotated Code of Maryland ("Code") and Board Rule 4:01; the vote was unanimous. Motion was made and duly seconded to fine License Holder \$1,000.00; the vote was unanimous.

7) Fortunato's of Woodbridge, Inc. T/A Fortunato's of Woodbridge (sale to underage 7/21)

Salvatore DiMeo, President, Fortunato's of Woodbridge, Inc., t/a Fortunato's of Woodbridge, 1401-R Pulaski Highway, Edgewood, MD 21040 appeared along with their attorney Anthony C. DePastina appeared in connection with a show cause letter indicating violation of:

- i. Sale and/or provision of alcoholic beverages to an individual under the legal drinking age of twenty-one (21) years in violation of Alcoholic Beverage Article (AB) § 6-304 of the Annotated Code of Maryland (“Code”) and Board Rule 4:01.
- ii. Did allow an individual under the age of 18 to engage in the distribution or sale of alcoholic beverages in violation of Alcoholic Beverage Article (AB) § 22-1902 and Board Rule 4:16.
- iii. Did fail to keep on the licensed premises records containing the legal names, aliases, addresses, dates of birth, and a legible copy of a government-issued identification of all persons employed by them in violation of Board Rule 3:06(g).
- iv. Failure to notify the Board in writing of the temporary absence of the License Holder in violation of Board Rule 3:13.

The violations are alleged to have occurred on July 21, 2021.

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 testimony, and with further consideration to License Holder’s relevant past record (if any) motion was made and duly seconded to find License Holder in violation of the Alcoholic Beverage Article (“AB”) § 6-304 of the Annotated Code of Maryland (“Code”) and Board Rule 4:01; the vote was unanimous. Motion was made and duly seconded to fine License Holder \$1,000.00; the vote was unanimous.

Motion was made and duly seconded to find License Holder in violation of the Alcoholic Beverage Article (“AB”) § 22-1902 and Board Rule 4:16 - Did allow an individual under the age of 18 to engage in the distribution or sale of alcoholic beverages; the vote was unanimous. Motion was made and duly seconded to fine License Holder \$250.00; the vote was unanimous.

Motion was made and duly seconded to find License Holder in violation of Board Rule 3:06(g) - Did fail to keep on the licensed premises records containing the legal names, aliases, addresses, dates of birth, and a legible copy of a government-issued identification of all persons employed by them; the vote was unanimous. Motion was made and duly seconded to fine License Holder \$250.00.

Motion was made and duly seconded to find License Holder in violation of Board Rule 3:13 - Failure to notify the Board in writing of the temporary absence of the License Holder; the vote was unanimous. No fine was imposed by the Board.

ADMINISTRATIVE BUSINESS

1) Tidewater Grille, Inc. T/A Tidewater Grille – COVID Temporary Closure (08/13 – 08/19)

Ralph Shapot, Tidewater Grille, Inc. T/A Tidewater Grille submitted notice on August 13 that several employees had tested positive for COVID and as a result the business would be closed. On August 19 notice was received that they would reopen to the public on August 20.

2) Harbor Wine & Spirits, L.L.C. T/A Harbor Wine & Spirits, L.L.C. – 60 Day Update

Harbor Wine & Spirits, L.L.C. T/A Harbor Wine & Spirits, L.L.C. has submitted a 60 day update. They are still in the construction phase and face a shipping time of 16 weeks for a display cooler and shelving. A completion date is unknown at this time.

3) Harford Artists Association – Request to Change Per Diem License Date

Harford Artists Association previously received approval of a Per Diem License to be used on September 11. Due to the rise in the COVID variant cases, they have decided not to serve food or

drink at the event and request that the Board allow them to change the date of the license to October 16. Motion was made and duly seconded to approve the request; the vote was unanimous.

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

1) Edgewood High School Alumni Association – Fall Shrimp Feast – 09/18

Issued to Helen Morrison and Donald Morrison
 On Behalf of Edgewood High School Alumni Association
 Type of Event Shrimp feast
 Date(s) of Event 09/18/2021
 Location Description & Address Prince of Peace Church
 2600 Willoughby Beach Rd., Edgewood
 Outside Event? No

Motion was made and duly seconded to approve the application; the vote was unanimous.

2) Friends for Patrick Vincenti – Backyard Barbeque Campaign Fundraiser – 09/23

Issued to Patrick Vincenti and Michael Tarquini
 On Behalf of Friends for Patrick Vincenti
 Type of Event Political Fundraiser
 Date(s) of Event 09/23/2021
 Location Description & Address Patrick Vincente's residence
 303 West Lane, Churchville
 Outside Event? Yes
 Rain Date N/A

Motion was made and duly seconded to approve the application; the vote was unanimous.

3) The Rockfield Foundation – Harford County Wine Festival – 09/25

Issued to Kellee Kalthof and William Vanden Eynden
 On Behalf of The Rockfield Foundation
 Type of Event Harford County Wine Festival
 Date(s) of Event 09/25/2021
 Location Description & Address Rockfield Manor
 501 E. Churchville Rd., Bel Air
 Outside Event? Yes
 Rain Date N/A

Motion was made and duly seconded to approve the application; the vote was unanimous.

STAFF REPORT / PUBLIC COMMENT / BOARD COMMENT

Mrs. Powell advised that the following establishments have received Permission for Sale or Delivery of Alcoholic Beverages for Off-Premises Consumption: Island Spice Grille & Lounge, Basta Pasta, Prost German Restaurant, La Tolteca in Bel Air, Italian Sensations (Bel Air), Italian Sensations (Fallston), and Baldwin's Seafood Restaurant.

Mrs. Powell advised that a new license hearing has been scheduled for Forest Hill Wine & Liquor in Forest Hill, however, the office has been advised that this will be a protested hearing. Mrs. Powell will present several dates to applicant's attorney.

ADJOURNMENT

There being no further business, motion was made and duly seconded to adjourn the meeting; the vote was unanimous.

Minutes from the Harford County Liquor Control Board Meeting on August 25, 2021, have been reviewed and approved by the following:

Walter A. Tilley III, Chair

James E. Welch, Commissioner

Paul J. Majewski, II, Chair

Frederic L. Merchant, Commissioner

Susan Burdette, Commissioner