

FREDERICK COUNTY LIQUOR BOARD
Public Meeting Minutes
Monday November 27, 2023

Those Present: Ms. Joan Aquilino, Chair
Mrs. Debbie Burrell, Board Member
Mr. Christopher Glass, Board Member
Ms. Jennifer Keefer, Deputy County Attorney
Mr. Robert Lind, Alcoholic Beverage Inspector
Mr. Larry Anderson, Alcoholic Beverage Inspector
Mrs. Dawn Shugars, Director
Mrs. Ashley Kneessi Gay, Administrative Coordinator
Mrs. Candace Sier, Administrative Specialist II
Mrs. Tabitha Vanleeuwen, Administrative Specialist II
Mrs. Trisha Lawson, Administrative Specialist II

A Public Meeting was held in person and called to order at 8:30am by the Chair, Joan Aquilino. The Pledge of Allegiance was led by Commissioner Glass. Ashley Kneessi-Gay swore in all participants for today's hearing.

1. Adopt October 9, 2023, and November 13, 2023, Hearing minutes.

MOTION: Commissioner Burrell made a motion to adopt the October 9, 2023, and the November 13, 2023, Hearing minutes.

SECOND: Commissioner Glass second the motion.

FURTHER DISCUSSION ON THE MOTION: There was no further discussion.

VOTE: Commissioner Glass- Aye
Commissioner Burrell- Aye
Chair Aquilino –Aye

The vote was unanimous **Ayes 3, Nay-0**
(Motion passed)

2. TRANSFER

- a. Application # 261059

DECISION

Kyo Sushi
Li Chen, Zhao Jun Zheng, and Zhaoxia Zheng
For the use of Sakuragi Group, LLC
Transfer From: Zhong Lin and Shaona Chen
for the use of Fuding, LLC
Class B, On Sale, Beer and Wine

MOTION: Commissioner Burrell made a motion for conditional approval for Kyo Sushi until December 31, 2023. Pending all rules, regulations and laws of the State, County, municipalities, and Liquor Board are met.

SECOND: Commissioner Glass second the motion.

FURTHER DISCUSSION ON THE MOTION: There was no further discussion.

VOTE: Commissioner Glass – Aye
Commissioner Burrell- Aye
Chair Aquilino –Aye

The vote was unanimous **Ayes 3, Nay-0**
(Motion passed)

3. VIOLATIONS

a. Emmitsburg Liquors

Pradeep Saini
For the use of Emmitsburg Liquors, LLC
Sales to Minor

- Attendees: In Person- Pradeep Saini, Gopi Saini, Mitvaa Saini
- On September 28, 2023, at approximately 4:26pm, Inspector Larry Anderson entered Emmitsburg Liquors. Moments later Rebecca Jones, who was 20 years old at the time, entered the store and proceeded to attempt to purchase a 12 pack of Truly Mixed Lemonade Hard Seltzer. Rebecca had stated that at no time did the cashier request to see any identification for proof of age. Inspector Anderson was able to observe the entire transaction. The cashier, who was identified by his Maryland Alcohol Awareness Certificate as Bibhuti Pradhan, stated that he thought that he had asked to see her ID.
- Plea: Guilty
- Violation History: Licensee Pradeep Saini has been on the license since April 21, 2021. There is no violation history for this license holder.

MOTION: Commissioner Glass made a motion to grant deferred judgment.

SECOND: Commissioner Burrell second the motion.

FURTHER DISCUSSION ON THE MOTION: There was no further discussion.

VOTE: Chair Aquilino – Aye
Commissioner Glass – Aye
Commissioner Burrell –Aye

The vote was unanimous **Ayes 3, Nay-0**
(Motion passed)

b. Emmitsburg Liquors

Pradeep Saini
For the use of Emmitsburg Liquors, LLC
Class A licensee working at another class A licensed establishment

- Attendees: In Person- Pradeep Saini, Gopi Saini, Mitvaa Saini
- On November 15, 2023, at approximately 2:52pm, Inspector Robert Lind entered Brunswick Liquors for a routine Liquor Board inspection. This inspection was completed with Pradeep Saini, who was working as a cashier at the time of Inspector Linds arrival.
- Plea: Not Guilty
- Violation History: Licensee Pradeep Saini has been on the license since April 21, 2021. There is no violation history for this license holder.

MOTION: Commissioner Burrell made a motion to change the violation to a warning with additional instructions to train the licensee.

SECOND: Commissioner Glass second the motion.

FURTHER DISCUSSION ON THE MOTION: Chair Aquilino stated that she would abstain from the vote because she does not agree with the motion.

VOTE: Commissioner Burrell – Aye
Chair Aquilino – Abstain
Commissioner Burrell –Aye

The vote was ***Ayes 2, Nay-0, Abstain-1***
(Motion passed)

c. Valero of Emmitsburg

Anjan Baniya and Niroji Bhandari
For the use of 7 Peaks, LLC
Sales to Minor

- Attendees: In Person- Anjan Baniya, Niroji Bhandari
- On September 28, 2023, at approximately 5:07pm, Inspector Larry Anderson entered Valero of Emmitsburg. Moments later Rebecca Jones, who was 20 years old at the time, entered the store and proceeded to attempt to purchase a 12 pack of Truly Mixed Punch Hard Seltzer. Rebecca had stated that at no time did the cashier request to see any identification for proof of age. Inspector Anderson was able to observe the entire transaction. The cashier, who was identified by his Maryland Driver’s License as Anjan Baniya, stated that Rebecca looked older, and asked Inspector Lind to show him Rebecca’s Driver’s License.
- Plea: Guilty
- Violation History: Sales to Minor- February 27, 2023, Deferred Judgement until February 27, 2026.

MOTION: Commissioner Burrell made a motion to Suspend the license for 3 days and for a \$1000.00 fine with the suspension to start immediately through Wednesday November 29, 2023, and the fine to be paid within 24 hours.

SECOND: Chair Aquilino second the motion.

FURTHER DISCUSSION ON THE MOTION: Chair Aquilino asked for the motion to be modified for the suspension to start Thursday, November 30, 2023, through Saturday December 2, 2023.

MOTION: Commissioner Burrell modified the motion to suspend the license for 3 days and for a \$1000.00 fine with the suspension to start Thursday November 30, 2023, through Saturday December 2, 2023, and the fine to be paid within 24 hours

VOTE: Chair Aquilino – Aye
Commissioner Glass – Abstain
Commissioner Burrell –Aye

The vote was **Ayes 2, Nay-0, Abstain-1**
(Motion passed)

d. Gateway Candyland & Liquors

Amber Seiss, Bradley Seiss, and David Seiss
For the use of Gateway, INC
Sales to Minor

- Attendees: In Person- Amber Seiss, Bradley Seiss, David Seiss
- On September 28, 2023, at approximately 5:26pm, Inspector Larry Anderson entered Gateway Candyland & Liquors. Moments later Rebecca Jones, who was 20 years old at the time, entered the store and proceeded to attempt to purchase a 12 pack of Truly Berry Punch Hard Seltzer. Rebecca had stated that at no time did the cashier request to see any identification for proof of age. Inspector Anderson was able to observe the entire transaction. The cashier, who was identified by his Maryland Driver's License as Douglas Myers, stated that he thought that Rebecca looked older.
- Plea: Guilty
- Violation History: The license was issued December 3, 1987, transferred to Amber Seiss and Bradley Seiss on January 8, 2018. David Seiss was added on December 3, 2019. Currently there is no violation history.

MOTION: Commissioner Burrell made a motion to grant deferred judgement.

SECOND: Commissioner Glass second the motion.

FURTHER DISCUSSION ON THE MOTION: There was no further discussion.

VOTE: Commissioner Burrell – Aye
Commissioner Glass – Aye
Chair Aquilino –Aye

The vote was unanimous **Ayes 3, Nay-0**
(Motion passed)

e. Paul's Pit Stop

Neeta Pansuriya
For the use of Shree Hari, LLC

- Attendees: In Person- Neeta Pansuriya
- On September 28, 2023, at approximately 5:40pm, Inspector Larry Anderson entered Paul's Pit Stop. Moments later Rebecca Jones, who was 20 years old at the time, entered the store and proceeded to attempt to purchase a 12 pack of Truly Mixed Berry Hard Selter. Rebecca had stated that at no time did the cashier request to see any identification for proof of age. Inspector Anderson was able to observe the entire transaction. The cashier, who was identified by his Maryland Driver's License as Michael Wright, stated that Rebecca looked older.
- Plea: Guilty
- Violation History: The license was issued July 13, 2002. April 2, 2023, warning letter- Failure to notify the Board of the death of a licensee.

MOTION: Commissioner Burrell made a motion to grant Deferred Judgement.

SECOND: Commissioner Glass second the motion.

FURTHER DISCUSSION ON THE MOTION: There was no further discussion.

VOTE: Commissioner Burrell – Aye
Commissioner Glass – Aye
Chair Aquilino –Aye

The vote was unanimous **Ayes 3, Nay-0**
(Motion passed)

Chair Aquilino called for a 2-minute break at this point.

f. Mi Pueblo International Market

Miguel Delcid
For the use of Mi Pueblo International Market, LLC
Sales to Minor

- Attendees: In Person- Miguel Delcid
- On September 29, 2023, at approximately 6:01pm, Inspector Larry Anderson entered Mi Pueblo International Market. Moments later Mason Rarer, who was 19 years old at the time, entered the store and proceeded to attempt to purchase a 2 pack of Corona bottles. Mason had stated that at no time did the cashier request to see any identification for proof of age. Inspector Anderson was able to observe the entire transaction. The cashier was identified by her permanent residency card as Silvia Marleny. A language barrier prevented Silvia from giving a testimony about the sale.
- Plea: Guilty
- Violation History: The License was issued December 13, 2019. April 28, 2022- No alcohol awareness trained on duty- Written warning. December 13, 2021- Possession of an alcoholic beverage (Wine) with a Beer only license- Guilty with a 4-day suspension.

MOTION: Commissioner Burrell made a motion for a \$500 fine suspended and 1-year probation period. If another violation occurs in the 1-year probation period, the \$500 fine is reinstated.

SECOND: Commissioner Glass second the motion.

FURTHER DISCUSSION ON THE MOTION: Chair Aquilino stated that this probation period applies for any violation not just sales to minor.

VOTE: Commissioner Glass – Aye
Commissioner Burrell – Aye
Chair Aquilino – Aye

The vote was unanimous **Ayes 3, Nay-0**
(Motion passed)

4. NEW

b. Application # 261082

DECISION

Tempo Di Pasta
Jose Pena

For the use of Tempo Di Pasta, LLC
Class B, On Sale, Beer and Wine License

MOTION: Commissioner Burrell made a motion for conditional approval for Tempo Di Pasta until December 31, 2023. Pending all rules, regulations and laws of the State, County, municipalities, and Liquor Board are met.

SECOND: Commissioner Glass second the motion.

FURTHER DISCUSSION ON THE MOTION: Commissioner Burrell was unable to hear the history report so Director Shugars read the history again for her so she could vote.

VOTE: Commissioner Glass – Aye
Commissioner Burrell- Aye
Chair Aquilino – Aye

The vote was unanimous **Ayes 3, Nay-0**
(Motion passed)

c. Application # 261089

DECISION

Clustered Spires
Scott Peterson

For the use of The City of Frederick
Class MG-Golf, On Sale, Beer, Wine, and Liquor License

MOTION: Commissioner Burrell made a motion for conditional approval for Clustered Spires Golf Course a until March 31, 2024. Pending all rules, regulations and laws of the State, County, municipalities, and Liquor Board are met.

SECOND: Commissioner Glass second the motion.

FURTHER DISCUSSION ON THE MOTION: There was no further discussion.

VOTE: Commissioner Glass – Aye
Commissioner Burrell- Aye
Chair Aquilino –Aye

The vote was unanimous **Ayes 3, Nay-0**
(Motion passed)

2. General public comment-NONE

3. Staff Meeting

a. Discussion regarding editing the Rules of Procedure to decrease public comment from 5 minutes to 3 minutes.

- No objections to the change from the Board but unable to adopt until December 4, 2023, hearing. Will put this item on the agenda to adopt at that time.

b. Director to review Tables & Chairs for specific license request that the Board will need to vote publicly after staff discussion.

- Director Shugars presented to the Board that JB Spirits and Eats is a Class A establishment that currently has tables and chairs in their establishment that has not previously been approved by the Board. The owner was under the assumption from a previous inspector that the tables and chairs were ok to have in the establishment. The owner has now submitted a formal request to have the tables and chairs in the establishment. Currently the owner has removed them until he receives approval from the Board.
- The owner previously stated to Director Shugars that he plans to move his packaged goods store to the lower level of the building. Commissioner Glass comments that the owner should come in and present his plan of transition to the Board.

MOTION: Chair Aquilino made a motion to table this issue until the January 8, 2024, hearing. At that time the owner can come in and present his plan of transition, until the January 8, 2024, hearing he may operate with up to 16 seats.

SECOND: Commissioner Glass second the motion.

FURTHER DISCUSSION ON THE MOTION: There was no further discussion.

VOTE: Commissioner Glass – Aye
Commissioner Burrell- Aye
Chair Aquilino –Aye

The vote was unanimous **Ayes 3, Nay-0**
(Motion passed)

c. Presentation of a new pre-hearing process for Sales to Minor (Deferred Judgement & No Contest Letter for first time offenders).

- Director Shugars presented to the Board the new idea for prehearing process for Sales to Minors.
- Commissioner Burell expresses her concerns with the letter and feels that it would be better for all Sales to Minor violations to come before the Board.
- Commissioner Glass feels this could be a good option for first time offenders.

- Jennifer Keffer suggested that the Board take until the next hearing on December 4, 2023, to process the information and bring it up for discussion again at that time.

d. Clarification on the Legislative package- Review.

- Director Shugars quickly reviewed the updated Legislative packet with the Board and informed them that Chair Aquilino, Ashley, and Tabitha will be attending the Delegation meeting on Saturday December 2, 2023.
- The Board has no objections to the updates.

4. ADJOURN

MOTION: Commissioner Glass made a motion to adjourn.

SECOND: Chair Aquilino second the motion.

FURTHER DISCUSSION ON THE MOTION: There was no further discussion.

VOTE: Commissioner Burrell - Aye
Chair Aquilino –Aye
Commissioner Glass- Aye

The vote was unanimous ***Ayes 3, Nay-0***
(Motion passed)

MEETING ADJOURNED: 1:10pm

Respectfully submitted,
Trisha Lawson, Administrative Specialist II
FREDERICK COUNTY LIQUOR BOARD