

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR 7-11 – LICENSE #250
SEPTEMBER 16, 2024

Members Present:		William E. Esham, Jr., Chairman		X	R. Charles Nichols	X	Marty W. Pusey	X
		Alternate Board Member: Reese Cropper, III		<input type="checkbox"/>				
Staff Present:		April Payne, Administrator		X	Harold (Skip) Cook, Investigator			X
		Thomas K. Coates, Esq., Board Attorney		X	Alternate Board Attorney: Name:			<input type="checkbox"/>
		Donna Hughes, Liquor License Specialist		X	Kelly Henry, Technical Services Manager			X
					Valarie Dawson, Court Reporter			X
License #:	#250	Hearing Date:	September 16, 2024		Time Hearing Started:	12:10 P.M.		
Class:	Class "A"	Type:	B/W		Day:	7 Day		
For: J.T.H, LLC		T/A: 7-11 Ocean Pines		Address: 11055 Racetrack Road Berlin, Maryland 21811				
New Application:	<input type="checkbox"/> Yes	Transfer:	<input type="checkbox"/> Yes		Meeting:	<input type="checkbox"/> Yes	Violation:	X Yes
Items to be discussed: 7-11 Class "A" B/W 7 Day License Violation of Alcoholic Beverages Article, Section 6-304 (Sale to a Minor)								
Applicants:	<input type="checkbox"/>	Licensees:	X		Representative:			
1. James T. Hughes, Jr.				Hugh Cropper, Esquire				
2. Rachalle L. Spicer								
Witnesses:				Protestants:				
1. Jennifer Marlo (Clerk)				1. Cpl. Paul Bissman (WCSO)				
Exhibits:				Exhibits:				
1. Licensee's Exhibit #1 – Jennifer Marlo TAM Certificate				Board's Exhibit #1 – Board's Investigation Report Dated July 2, 2024, Compliance Check History, Alcohol Awareness Certified Employee List, and Worcester County Sheriff's Office (WCSO) Incident Case Report #24-0000403				
<p>Hearing Minutes: The licensees along with their attorney Hugh Cropper, Esquire appeared before the Board for a Class "A" 7 Day License Violation of Alcoholic Beverages Article, Section 6-304 (Sale to a Minor). The licensees and witness were sworn in. Mr. Coates submitted (Board's Exhibit #1) Board's Investigation Report Dated: July 2, 2024, Compliance Check History, Alcohol Awareness Certified Employee List, and Worcester County Sheriff's Office (WCSO) Incident Case Report #24-0000403, into evidence regarding a violation that occurred on March 19, 2024. Mr. Coates asked Cropper did they receive this information and whether there were any corrections or changes. Cropper introduced himself to the Board stating he will be representing James Hughes, Jr. and Rachalle. L. Spicer today. Cropper stated there are no corrections or changes they are here today for mitigation. Cropper stated to the Board as you can see from the compliance check history report this establishment has had numerous compliance checks and did not sell. Cropper submitted (Licensee's Exhibit #1) Jennifer Marlo TAM certificate. Cropper stated to the Board J. Marlo was not terminated because she is a good employee but was suspended from work on the condition she could not return to work until she was TAM re-certified. Cropper asked Marlo to explain to the Board what happened the day of the incident. Marlo told the Board she was busy and when a few people approached the counter, I asked for ID and reviewed, but didn't take the time to scan the ID, I entered my date of birth (DOB) information to complete the sale. Marlo stated it was an oversight and she takes full responsibility. Commissioner Nichols asked Marlo, does the store have a POS system, and why did you enter your DOB. Marlo stated "Yes," there is a POS system, I was busy doing other things I looked at the ID and entered my DOB to process the sale quickly, this was an oversight on my part. Hughes explained to the Board how the 7-11 POS system operates, stating that when you scan an alcoholic beverage a yellow screen appears you either must scan the license or override, stating that because some IDs cannot be read by the POS system because of multiply reasons. Cpl. Bissman stated that Dep. Shayne entered the establishment and contacted the manager, Patrick Spicer. Dep. Shayne stated Marlo explained how the sale was completed, and then Spicer asked if he could scan the ID to ensure his POS system is working properly.</p>								

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR 7-11 – LICENSE #250
SEPTEMBER 16, 2024

Spicer scanned the ID, and the POS system denied the sale. Dep. Shayne stated that staff and management were polite and cooperative. Commissioner Esham asked Cpl. Bissman if this is considered a trouble spot. Cpl. Bissman stated “No.”

THE BOARD FOUND THAT THE VIOLATION DID OCCUR ON MARCH 19, 2024, AND IMPOSED \$500 FINE IS TO BE PAID BY CERTIFIED CHECK OR CASH BY THURSDAY, SEPTEMBER 19, 2024, BY NOON AND IF NOT PAID THE LICENSE WOULD BE SUSPENDED UNTIL THE FINE WAS PAID IN FULL. FINE PAID ON SEPTEMBER 17, 2024

Motion	1st	Mr. Nichols	2nd	Mr. Esham	Approved:	<input checked="checked" type="checkbox"/>	Yes	<input type="checkbox"/>	No
---------------	-----	-------------	-----	-----------	------------------	--	-----	--------------------------	----

Restrictions:

Time Hearing Ended: 12:15 P.M.

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR TIPSY TACO AT LANKFORD HOTEL – LICENSE #959
SEPTEMBER 16, 2024

Members Present:		William E. Esham, Jr., Chairman		<input checked="" type="checkbox"/>	R. Charles Nichols	<input checked="" type="checkbox"/>	Marty W. Pusey	<input checked="" type="checkbox"/>
		Alternate Board Member: Reese Cropper, III		<input type="checkbox"/>				
Staff Present:		April Payne, Administrator		<input checked="" type="checkbox"/>	Harold (Skip) Cook, Investigator			<input checked="" type="checkbox"/>
		Thomas K. Coates, Esq., Board Attorney		<input checked="" type="checkbox"/>	Alternate Board Attorney: Name:			<input type="checkbox"/>
		Donna Hughes, Liquor License Specialist		<input checked="" type="checkbox"/>	Kelly Henry, Technical Services Manager			<input checked="" type="checkbox"/>
					Valarie Dawson, Court Reporter			<input checked="" type="checkbox"/>
License #:	#959	Hearing Date:	September 16, 2024		Time Hearing Started:	12:17 P.M.		
Class:	Class "B"	Type:	B/W/L		Day:	7 Day		
For: Topsy Taco, LLC		T/A: Topsy Taco at Lankford Hotel		Address: 8 th Street & Boardwalk Ocean City, Maryland 21842				
New Application:	<input type="checkbox"/> Yes	Transfer:	<input type="checkbox"/> Yes		Meeting:	<input type="checkbox"/> Yes	Violation:	<input checked="" type="checkbox"/> Yes
Items to be discussed: Topsy Taco at Lankford Hotel Class "B" B/W/L 7 Day License Violation of Alcoholic Beverages Article, Section 6-304 (Sale to a Minor)								
Applicants:	<input type="checkbox"/>	Licensees:	<input checked="" type="checkbox"/>		Representative:			
1. Francesco Fidanza				Joseph E. Moore, Esquire				
2. Kevin E. Decker								
Witnesses:				Protestants:				
1.				1. Sgt. Douglas Smith (OCPD)				
2.				2. Sgt. Nathan Kutz (OCPD)				
Exhibits:				Exhibits:				
1.		Board's Exhibit #1 – Board's Investigation Report Dated August 14, 2024, Compliance Check History, Alcohol Awareness Certified Employee List, and Ocean City Police Department Incident Case Report #2024-002209						
<p>Hearing Minutes: The licensees along with their attorney Joseph E. Moore, Esquire before the Board for a Class "B" B/W/L 7 Day License Violation of Alcoholic Beverages Article, Section 6-304 (Sale to a Minor). The licensees were sworn in. Mr. Coates submitted (Board's Exhibit #1) Board's Investigation Report Dated: August 14, 2024, Compliance Check History, Alcohol Awareness Certified Employee List, and Ocean City Police Department Office (OCPD) Incident Case Report #2024-002209, into evidence regarding a violation that occurred on June 20, 2024. Mr. Coates asked Moore did they receive this information and were there any corrections or changes. Moore introduced himself to the Board and stated he will be representing Francesco Fidanza and Kevin Decker today. Moore stated there are no corrections or changes we are here today for mitigation. Moore stated Decker is the resident agent and is not involved in the daily operations. Decker replied "Correct." Moore asked Fidanza are you the license holder of the property, and this establishment is in the Lankford Hotel which is also owned by one of your businesses. Fidanza stated "Correct." Moore stated to Fidanza you have years of experience in the sale of alcoholic beverages in the state of New York where for about 20 years you have held five alcoholic beverage licenses. Fidanza stated "Correct." Moore asked Fidanza in your 20 years in the alcoholic beverage business have any of your establishments had any violations. Fidanza stated "No." Moore asked Fidanza you were issued your license on May 23, 2024, stating that you had only been open for 28 days. Fidanza stated "Correct." Moore asked Fidanza if it is correct that you hired J1 students out of necessity because of the lack of staff. Fidanza stated "Yes." Moore asked Fidanza if you were on the property at the time of the violation. Fidanza stated "Yes," I was there overseeing the operations and training. Moore stated the employee that served the minor was not TIPS/TAM certified because he had not been employed that long. Fidanza stated "Correct," at the time of the violation the employee that served the minor was hired to be a food runner, but because we didn't have enough servers that day he started serving. Fidanza stated being he was from a foreign country he didn't understand the alcohol regulations. Fidanza stated is was also our neglections for not having our more experience servers stay with him until he was fully trained. Fidanza stated we have</p>								

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR TIPSY TACO AT LANKFORD HOTEL – LICENSE #959
SEPTEMBER 16, 2024

purchased an iPad that will scan all IDs, at the time of the violation we did not have that in place. Moore asked Fidanza since the day of the violation, are all your servers TIPS/TAM certified. Fidanza stated “Yes,” and we have the readers to scan all IDs. Sgt. Smith stated the staff was cooperative and polite. Commissioner Pusey asked who asked the J1 to serve the customers. Fidanza stated he was unsure, noting there were experienced staff members available, I’m unsure if because of the language barrier a misunderstanding of communication occurred. Commissioner Pusey asked Sgt. Kutz, was the establishment busy. Sgt. Kutz stated there was a light crowd at the time of the incident they were not that busy. Commissioner Nichols asked Fidanza during the 28 days before the violation had your staff been given any training. Fidanza stated staff were trained in serving, food prep, and cooking stating there was a lot going on at this establishment along with getting the other business staffed not everyone had their TIPS/TAM training. Commissioner Nichols asked Fidanza had the iPad been ordered before the incident. Fidanza stated “No.”

THE BOARD FOUND THAT THE VIOLATION DID OCCUR ON JUNE 20, 2024, AND IMPOSED A \$500 FINE THAT IS TO BE PAID BY CERTIFIED CHECK OR CASH BY THURSDAY, SEPTEMBER 19, 2024, BY NOON AND IF NOT PAID THE LICENSE WOULD BE SUSPENDED UNTIL THE FINE WAS PAID IN FULL. FINE PAID ON SEPTEMBER 16, 2024

Motion:	1st	Mr. Nichols	2nd	Ms. Pusey	Approved:	<input checked="checked" type="checkbox"/>	Yes	<input type="checkbox"/>	No
----------------	-----	-------------	-----	-----------	------------------	--	-----	--------------------------	----

Restrictions:

Time Hearing Ended: 12:30 P.M.

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR BROTHERS BISTRO – LICENSE #378
SEPTEMBER 16, 2024

Members Present:		William E. Esham, Jr., Chairman		X	R. Charles Nichols	X	Marty W. Pusey	X
		Alternate Board Member: Reese Cropper, III		<input type="checkbox"/>				
Staff Present:		April Payne, Administrator		X	Harold (Skip) Cook, Investigator			X
		Thomas K. Coates, Esq., Board Attorney		X	Alternate Board Attorney: Name:			<input type="checkbox"/>
		Donna Hughes, Liquor License Specialist		X	Kelly Henry, Technical Services Manager			X
					Valarie Dawson, Court Reporter			X
License #:	#378	Hearing Date:	September 16, 2024		Time Hearing Started:	12:32		
Class:	Class "B"	Type:	B/W/L		Day:	7 Day		
For: KUCUK BROS, INC.		T/A: Brothers Bistro		Address: 1109 Atlantic Avenue Ocean City, Maryland 21842				
New Application:	<input type="checkbox"/> Yes	Transfer:	<input type="checkbox"/> Yes	Meeting:	<input type="checkbox"/> Yes	Violation:	X Yes	
Items to be discussed: Brother's Bistro Class "B" B/W/L 7 Day License Violation of Alcoholic Beverages Article, Section 6-304 (Sale to a Minor)								
Applicants:	<input type="checkbox"/>	Licensees:	X		Representative:			
1. Burc B. Kucuk				Joseph E. Moore, Esquire				
Witnesses:				Protestants:				
1.				1. Sgt. Douglas Smith (OCPD)				
2.				2. Sgt. Nathan Kutz (OCPD)				
Exhibits:				Exhibits:				
1. Licensee's Exhibit #1 – Brother's Bistro Employee Handbook				Board's Exhibit #1 – Board's Investigation Report Dated July 18, 2024, Compliance Check History, Alcohol Awareness Certified Employee List, and Ocean City Police Department (OCPD) Incident Case Report #2024-001402				
2. Licensee's Exhibit #2 – Photo of sign showing example of vertical IDs				2.				
3. Licensee's Collective Exhibit #3 – Staff TIPS/TAM certificates				3.				
<p>Hearing Minutes: The licensee along with his attorney Joseph E. Moore, Esquire appeared before the Board with a Class "B" B/W/L 7 Day License for a Violation of Alcoholic Beverages Article, Section 6-304 (Sale to a Minor). The licensee was sworn in. Mr. Coates submitted (Board's Exhibit #1) Board's Investigation Report Dated: July 18, 2024, Compliance Check History, Alcohol Awareness Certified Employee List, and Ocean City Police Department Incident Case Report #2024-001402, into evidence regarding a violation that occurred on June 3, 2024. Mr. Coates asked the licensees did they receive this information and were there any corrections or changes. Moore introduced himself to the Board and stated he is representing Burc B. Kucuk today. Moore stated there are no corrections or changes we are here today for mitigation. Moore stated to the Board there are two additional matters he would like to inform the Board of involving this incident. Moore stated to the Board the employee that served the minor in the report states that they were employed for a month, when in fact they had only been employed for two weeks and the report also states they were TIPS/TAM certified which is not correct, the employee was not TIPS/TAM certified. Moore stated we wanted to be completely transparent to the Board. Moore asked Kucuk is it your business practice to have all your servers TIPS/TAM certified. Kucuk stated "Yes." Moore submitted (Licensee's Exhibit #1) Brother's Bistro Employee Handbook. Moore noted to the Board there are pages in the handbook that clearly instructed the employees of the strict guidelines and the consequences for serving alcoholic beverages to an underage customer. Moore submitted (Licensee's Exhibit #2) sign showing example of a vertical IDs. Moore asked Kucuk where the signs are located. Kucuk stated the signs are located where the servers pick up their orders, so they must look at them several times a shift. Kucuk stated the server was terminated because our establishment has a "No Tolerance Policy." Moore submitted (Licensee's Collective Exhibit #3) staff TIPS/TAM certificates. Moore stated to</p>								

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR BROTHERS BISTRO – LICENSE #378
SEPTEMBER 16, 2024

Kucuk you have been the licensee holder of this establishment for several years and there have been several “No Sales.” Commissioner Esham stated for the record there have been two “No Sales.” Commissioner Esham asked Sgt. Kutz were there any issues. Sgt. Kutz stated that this is not a problem area, and the staff was polite and cooperative, he believes the server was a J1 student and many times there is a language barrier. Sgt. Kutz stated the server didn’t ask for an ID when she took the order but upon returning, she did request the ID, the cadet gave the server the vertical ID after the server reviewed the ID she served the cadet. Commissioner Nichols asked Kucuk in reviewing this employee handbook I don’t see any information regarding vertical IDs. Kucuk stated the handbook has not been updated since 2010. Commissioner Nichols stated “I question your establishment’s training process” stating I’ve heard many times today about the language barrier, the J1 students come here to work, and it is the responsibility of the business owners and management to ensure they receive the proper training to do their job. Moore stated even though the handbook has not been updated to include the vertical ID information, Brother’s Bistro is being proactive by posting a large sign that is in clear view for all serving staff, which is helpful for those with a language barrier.

THE BOARD FOUND THAT THE VIOLATION DID OCCUR ON JUNE 3, 2024, AND IMPOSED \$750 FINE THAT IS TO BE PAID BY CERTIFIED CHECK OR CASH BY THURSDAY, SEPTEMBER 19, 2024, BY NOON AND IF NOT PAID THE LICENSE WOULD BE SUSPENDED UNTIL THE FINE WAS PAID IN FULL. FINE PAID ON SEPTEMBER 16, 2024

Motion	1st	Mr. Nichols	2nd	Ms. Pusey	Approved:	<input checked="checked" type="checkbox"/>	Yes	<input type="checkbox"/>	No
---------------	-----	-------------	-----	-----------	------------------	--	-----	--------------------------	----

Restrictions:

Time Hearing Ended: 12:45 P.M.

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR LEONS AT THE BEACH – LICENSE #369
SEPTEMBER 16, 2024

Members Present:		William E. Esham, Jr., Chairman		X	R. Charles Nichols	X	Marty W. Pusey	X
		Alternate Board Member: Reese Cropper, III		<input type="checkbox"/>				
Staff Present:		April Payne, Administrator		X	Harold (Skip) Cook, Investigator			X
		Thomas K. Coates, Esq., Board Attorney		X	Alternate Board Attorney: Name:			<input type="checkbox"/>
		Donna Hughes, Liquor License Specialist		X	Kelly Henry, Technical Services Manager			X
					Valarie Dawson, Court Reporter			X
License #:	369	Hearing Date:	September 16, 2024		Time Hearing Started:	2:05 p.m.		
Class:	Class "B"	Type:	B/W/L		Day:	7 Day		
For: R.M. Singer Tavern, Inc.		T/A: Leons at the Beach		Address: 11805 "L" Coastal Highway Ocean City, Maryland 21842				
New Application:	<input type="checkbox"/> Yes	Transfer:	<input type="checkbox"/> Yes		Meeting:	<input type="checkbox"/> Yes	Violation:	X Yes
Items to be discussed: Leons at the Beach Class "B" B/W/L 7 Day License Violation of Alcoholic Beverages Article, Section 6-304 (Sale to a Minor)								
Applicants:	<input type="checkbox"/>	Licensees:	X		Representative:			
1.								
Witnesses:		Protestants:						
1. William Patrick Carols Haro-Gestole (Bartender)		1. Sgt. Douglas Smith (OCPD)						
2.		2. Sgt. Aaron Morgan (OCPD)						
Exhibits:		Exhibits:						
1.		Board's Exhibit #1 – Board's Investigation Report Dated August 9, 2024, Compliance Check History, Alcohol Awareness Certified Employee List, and Ocean City Police Department Incident Case Report #2024-001277						
<p>Hearing Minutes: The hearing for Leons at the Beach Class "B" B/W/L 7 Day License Violation of Alcoholic Beverages Article, Section 6-304 (Sale to a Minor), Ronald M. Singer licensee for Leons at the Beach did not appear for hearing. Sgt. Morgan and William Haro-Gestole were sworn in. Mr. Coates asked Sgt. Morgan if he knew if Leons at the Beach were still open for business. Sgt. Morgan stated he was unsure he had not returned to that location. Mr. Coates asked Haro-Gestole if he knew if Leons at the Beach was still open for business. Gestole replied Leons at the Beach have been closed for about a month. Mr. Coates stated to the Board based on an internet search, it looks like the business known as Leons at the Beach is no longer open and the name has been changed to Whiskers. Mr. Coates asked April Payne, Liquor License Administrator, if the licensee had received their notice to appear. Payne stated as of today she has not received the certified mail confirmation card of delivery, and the regular mail envelope has not been returned. Commissioner Esham stated his concern regarding the certified confirmation not being received. Mr. Coates stated to the Board since they are closed for business and not serving the public covers one concern, but if they were to open next week that would be another concern. Mr. Coates stated that he is going to place the Board's investigation report on record and that the licensee is not in attendance at this hearing, stating that the Board can act based on the contents of the investigation report and the licensee can request the case heard at a later scheduled Board hearing. Mr. Coates suggested the Board impose a sanction at this time and do not wait for something to happen in the future. Commissioner Esham requested the meeting go into closed session to discuss legal matters with Mr. Coates.</p> <p>Mr. Esham announced the Board will go into closed session. The Board is acting in its Quais-Judicial capacity and is not subject to the Open Meeting Act pursuant to Section 3-103 of the General Provisions Articles of the annotated Code of Maryland.</p> <p>Mr. Coates announced the meeting is now being reconvened into an open session.</p>								

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR LEONS AT THE BEACH – LICENSE #369
SEPTEMBER 16, 2024

Mr. Coates submitted (Board's Exhibit #1) Board's Investigation Report Dated: August 9, 2024, Compliance Check History, Alcohol Awareness Certified Employee List, and Ocean City Police Department Incident Case Report #2024-001277, into evidence regarding a violation that occurred on May 31, 2024. Mr. Coates stated to the Board that we have received testimony from an employee that the establishment is closed, for the record the Board followed all guidelines set by the Board of License to notify the licensee of this hearing, let the record show that the licensee, Ronald M. Singer, is not in attendance today, noting that the Board can make a finding and issue a sanction. Commissioner Esham in closing stated that the licensee was sent written notification and is not in attendance.

THE BOARD FOUND THAT THE VIOLATION DID OCCUR ON MAY 31, 2024, - SUSPENSION EFFECTIVE IMMEDIATELY – PROPERTY IS SUSPENDED THROUGH FRIDAY, MARCH 14, 2025, PROPERTY MAY REOPEN ON SATURDAY, MARCH 15, 2025.

Motion:	1st	Mr. Nichols	2nd	Ms. Pusey	Approved:	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
----------------	-----	-------------	-----	-----------	------------------	--------------------------	-----	--------------------------	----

Restrictions:

Time Hearing Ended: 2:20 p.m.

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR GALAXY BAR & GRILLE/LATE NIGHT LIQUOR & KEGS – LICENSE #489
SEPTEMBER 16, 2024

Members Present:		William E. Esham, Jr., Chairman		X	R. Charles Nichols	X	Marty W. Pusey	X
		Alternate Board Member: Reese Cropper, III		<input type="checkbox"/>				
Staff Present:		April Payne, Administrator		X	Harold (Skip) Cook, Investigator			X
		Thomas K. Coates, Esq., Board Attorney		X	Alternate Board Attorney: Name:			<input type="checkbox"/>
		Donna Hughes, Liquor License Specialist		X	Kelly Henry, Technical Services Manager			X
					Valarie Dawson, Court Reporter			X
License #:	#489	Hearing Date:	September 16, 2024		Time Hearing Started:	1:00 P.M.		
Class:	Class "B"	Type:	B/W/L		Day:	7 Day		
For: Late Nite 66, Inc./Four C's Inc.		T/A: Galaxy Bar & Grille/Late Night Liquor & Kegs		Address: 6601 Coastal Highway Ocean City, Maryland 21842				
New Application:	<input type="checkbox"/> Yes	Transfer:	<input type="checkbox"/> Yes		Meeting:	<input type="checkbox"/> Yes	Violation:	X Yes
Items to be discussed: Galaxy Bar & Grille/Late Night Liquor & Kegs Class "B" B/W/L 7 Day License Violation of Alcoholic Beverages Article, Section 6-304 (Sale to a Minor)								
Applicants:	<input type="checkbox"/>	Licensees:	X		Representative:			
1. Robert A. Knoll		Mark Cropper, Esquire						
2. Roger A. Cebula								
Witnesses:		Protestants:						
1. Shameik Q Scott Williams (Clerk)		1. Sgt. Douglas Smith (OCPD)						
2. James Kreider (Manager)		2. Cpl. John Spicer (OCPD)						
Exhibits:		Exhibits:						
1.		Board's Exhibit #1 – Board's Investigation Report Dated August 9, 2024, Compliance Check History, Alcohol Awareness Certified Employee List, and Ocean City Police Department (OCPD) Incident Case Report #2024-002018						

Hearing Minutes: The licensees along with their attorney Mark Cropper, Esquire appeared before the Board for a Class "B" B/W/L 7 Day License Violation of Alcoholic Beverages Article, Section 6-304 (Sale to a Minor). The licensees and witnesses were sworn in. Mr. Coates submitted (Board's Exhibit #1) Board's Investigation Report Dated: August 9, 2024, Compliance Check History, Alcohol Awareness Certified Employee List, and Ocean City Police Department Incident Case Report #2024-002018, into evidence regarding a violation that occurred on June 15, 2024. Mr. Coates asked Cropper did they receive this information and were there any corrections or changes. Cropper introduced himself and stated he is representing Robert Knoll, and Roger Cebula today. Cropper stated "Yes," there are no corrections or changes we are here today for mitigation. Cropper asked Cebula, is it your business practice to have all your employees TIPs/TAM certified. Cebula stated "Yes." Cebula stated that Williams was hired on May 20, 2024, and had been stocking shelves until he became TIPs/TAM certified on June 3, 2024. Cropper asked J. Kreider, the manager on duty the day of the incident, you had employed Williams in the past and had full confidence in his skill level and that he would follow the procedures regarding the sales of Alcoholic Beverage sales. Kreider stated "Yes," when someone is hired we have an extensive training program we also have each employee go through, we drill into new hires how to check IDs, meaning military IDs, out of state IDs, and most important having a manager review any vertical IDs before making a sale, we also shadow them for numerous days on the POS system to ensure they fully understand the POS screens and to know what to recognize if the POS system alerts them of a fake or underage ID. Cropper asked Kreider was he at the establishment the day of the incident. Kreider stated "Yes," I was in the back working. Cropper asked Kreider is Williams still employed. Kreider stated "Yes," but he is no longer allowed behind the register he was kept being a shelf stocker. Kreider stated to the Board we have also purchased a scanner that will check all IDs, and the information will be displayed on the cash register ensuring

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR GALAXY BAR & GRILLE/LATE NIGHT LIQUOR & KEGS – LICENSE #489
SEPTEMBER 16, 2024

the salesclerk has the information needed to complete the sales. Commissioner Esham asked Sgt. Smith if this is a problem location. Sgt. Smith stated he was surprised this sale took place this establishment, has always been stellar in their efforts to not sell to minors. Sgt. Smith stated looking at their track record regarding “No Sell” from 2010 to 2023 speaks for it self-stating I don’t believe this will happen again. Commissioner Pusey asked will this scanner allow the clerk to complete the sale if the screen shows underage. Kreider stated that the scanner will show a notification on the register screen showing rather the customer underage or the ID is not valid.

THE BOARD FOUND THE VIOLATION DID OCCUR ON JUNE 15, 2024, AND IMPOSED A LETTER OF REPRIMAND.

Motion	1st	Mr. Nichols	2nd	Ms. Pusey	Approved:	<input checked="checked" type="checkbox"/>	Yes	<input type="checkbox"/>	No
---------------	-----	-------------	-----	-----------	------------------	--	-----	--------------------------	----

Restrictions:

Time Hearing Ended: 1:15 P.M.

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR DEAD FREDDIE'S – LICENSE #659
SEPTEMBER 16, 2024

Members Present:		William E. Esham, Jr., Chairman		X	R. Charles Nichols	X	Marty W. Pusey	X
		Alternate Board Member: Reese Cropper, III		<input type="checkbox"/>				
Staff Present:		April Payne, Administrator		X	Harold (Skip) Cook, Investigator			X
		Thomas K. Coates, Esq., Board Attorney		X	Alternate Board Attorney: Name:			<input type="checkbox"/>
		Donna Hughes, Liquor License Specialist		X	Kelly Henry, Technical Services Manager			X
					Valarie Dawson, Court Reporter			X
License #:	#659	Hearing Date:	September 16, 2024		Time Hearing Started:	1:25 P.M.		
Class:	Class "B"	Type:	B/W/L		Day:	7 Day		
For: OC Freddie's, LLC		T/A: Dead Freddie's		Address: 105 64 th Street Ocean City, Maryland 21842				
New Application:	<input type="checkbox"/> Yes	Transfer:	<input type="checkbox"/> Yes		Meeting:	<input type="checkbox"/> Yes	Violation:	X Yes
Items to be discussed: Dead Freddie's Class "B" B/W/L 7 Day License Violation of Alcoholic Beverages Article, Section 6-304 (Sales to Minors)								
Applicants:	<input type="checkbox"/>	Licensees:	X		Representative:			
1. Joseph F. Zorbach				Joseph E. Moore, Esquire				
2. Stephen J. Carullo, Jr.								
Witnesses:				Protestants:				
1. Joshua Welteroth (Manager)				1. Sgt. Douglas Smith (OCPD)				
2.				2. Cpl. John Spicer (OCPD)				
Exhibits:				Exhibits:				
1. Licensee's Collective Exhibit #1 – Marko Jekic Alcohol Certification, Employee Handbook excerpts, Jekic's handbook acknowledgement signature, Jekic's signed Alcohol Promissory note, Letter from Jekic's sponsor company, three slides from in-class server training, Servers & bartenders' certification				Board's Exhibit #1 – Board's Investigation Report Dated August 8, 2024, Compliance Check History, Alcohol Awareness Certified Employee List, and Ocean City Police Department (OCPD) Incident Case Report #2024-002505				
<p>Hearing Minutes: The licensees along with their attorney appeared before the Board for a Class "B" B/W/L 7 Day License Violation of Alcoholic Beverages Article, Section 6-304 (Sales to Minors). The licensees and witnesses were sworn in. Mr. Coates submitted (Board's Exhibit #1) Board's Investigation Report Dated: August 8, 2024, Compliance Check History, Alcohol Awareness Certified Employee List, and Ocean City Police Department Incident Case Report #2024-002505, into evidence regarding violations that occurred on June 29, 2024. Mr. Coates asked Moore did they receive this information and were there any corrections or changes. Moore introduced himself to the Board and stated he is representing Joseph F. Zorbach and Stephen J. Carullo, Jr., today. Moore stated there are no corrections or changes we are here today for mitigation. Moore submitted (Licensee's Collective Exhibit #1) Marko Jekic alcohol certification, employee handbook excerpt, Jekic's handbook acknowledgement signature, Jekic's signed Alcohol Promissory note, letter from Jekic's sponsor company, and three slides in-class server training, servers & bartenders' certification. Moore asked Carullo WAS the server M. Jekic that served alcoholic beverages to the two underage cadets was a J1 student and is not employed with Dead Freddie's. Carullo stated "Correct," Jekic was terminated and has returned to his country. Moore asked Carullo about the promissory note that the servers sign. Carullo stated this is to get any employees' attention regarding the consequences for serving any underage customers. Moore asked Carullo for the record did you collect the promissory note from Jekic. Carullo stated "No." Carullo stated we are working with the student placement agency that will enforce if a J1 student is involved in any violations their automatic deported. Moore asked Carullo how many employees does he employee during the summer season. Carullo stated he has 90 employees, which is 80 servers and 10 bartenders, stating all but three or four were TIPs/TAM certified and those employees were just hired. Carullo displayed to the Board 25 fake IDs that Dead Freddie's staff has confiscated from underage patrons. Welteroth gave a demonstration to the Board of an ID scanning</p>								

system they are using at this time for checking IDs known as Intel Check which scans the back of all IDs, stating that each one of managers has this app on their phone and we have iPads at server stations. Moore asked Carullo you have strict rules and penalties in place, tell the Board the incentives you are proposing to offer to the employees. Carullo stated that he believes the best way to get the servers' attention is to offer incentive money as a bonus for paying close attention. Carullo stated he will offer each employee \$25 for each fake ID collected and \$1K each time they do not serve a cadet. Carullo stated the other step we are considering is having managers approach each table that is being served alcoholic beverages. Carullo stated to the Board I've concluded the employees serving alcohol beverages struggle with looking at the IDs and doing the math and it's even more difficult the the J1 employees, this is why I installed the scanning system at the serving stations, I have spent over 30K this year in every attempt to ensure the staff has every tool available to them to prevent anyone underage being served. Sgt. Smith stated he has no knowledge of this property being a problem, he noted that this property does have a large volume of customers. Sgt. Smith stated he is pleased to hear this establishment is taking extra steps to not only prevent serving underage patrons but also catching and confiscating fake IDs. Commissioner Pusey asked Carullo are you a certified trainer. Carullo stated "No," we use the Health Département or other TIPs/TAM training organizations, I conducted an in-house training session each month as a review to ensure the employees understand the rules and regulations of the business. Commissioner Pusey asked if all the servers have the app. Carullo stated "No," the charge is about \$2K for ten license so each manager has, and the server stations have the app on the iPad. Commissioner Nichols questioned Carullo about the promissory note, questioning does he believe the J1 students completely understand what they are signing. Carullo stated this is just another way of attempting to get their attention I have never enforced.

THE BOARD FOUND THAT THE VIOLATIONS DID OCCUR ON JUNE 29, 2024, AND IMPOSED \$500 FINE FOR THE 1ST OFFENSE AND A \$500 FINE FOR THE SECOND OFFENSE, THAT ARE TO BE PAID BY CERTIFIED CHECK OR CASH BY THURSDAY, SEPTEMBER 19, 2024, BY NOON AND IF NOT PAID THE LICENSE WOULD BE SUSPENDED UNTIL THE FINES ARE PAID IN FULL. FINES PAID ON SEPTEMBER 17, 2024

Motion	1st	Ms. Pusey	2nd	Mr. Nichols	Approved:	X	Yes	<input type="checkbox"/>	No
Restrictions:									
Time Hearing Ended: 1:50 P.M.									

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR BAD MONKEY – LICENSE #813
SEPTEMBER 16, 2024

Members Present:		William E. Esham, Jr., Chairman		X	R. Charles Nichols	X	Marty W. Pusey	X
		Alternate Board Member: Reese Cropper, III		<input type="checkbox"/>				
Staff Present:		April Payne, Administrator		X	Harold (Skip) Cook, Investigator			X
		Thomas K. Coates, Esq., Board Attorney		X	Alternate Board Attorney: Name:			<input type="checkbox"/>
		Donna Hughes, Liquor License Specialist		X	Kelly Henry, Technical Services Manager			X
					Valarie Dawson, Court Reporter			X
License #:	#813	Hearing Date:	September 16, 2024		Time Hearing Started:	1:52 P.M.		
Class:	Class "B"	Type:	B/W/L		Day:	7 Day		
For: OC Bar, LLC		T/A: Bad Monkey		Address: 5801 Coastal Highway Ocean City, Maryland 21842				
New Application:	<input type="checkbox"/> Yes	Transfer:	<input type="checkbox"/> Yes		Meeting:	<input type="checkbox"/> Yes	Violation:	X Yes
Items to be discussed: Bad Monkey Class "B" B/W/L 7 Day License Violation of Alcoholic Beverages Article, Section 6-304 (Sales to Minors)								
Applicants:	<input type="checkbox"/>	Licensees:	X		Representative:			
1. Kevin C. Myers								
Witnesses:				Protestants:				
1. Oana S. Colgan (Manager)				1. Sgt. Douglas Smith				
2.				2. Sgt. Christopher Snyder				
3.				3. Cpl. John Spicer				
Exhibits:				Exhibits:				
1.				Board's Exhibit #1 – Board's Investigation Report Dated August 9, 2024, Compliance Check History, Alcohol Awareness Certified Employee List, and Ocean City Police Department (OCPD) Incident Case Report #2024-002018				

Hearing Minutes: The licensee Kevin C. Myers appeared before the Board for a Class "B" B/W/L 7 Day License Violation of Alcoholic Beverages Article, Section 6-304 (Sales to Minors). The licensee and witness were sworn in. Mr. Coates submitted (Board's Exhibit #1) Board's Investigation Report Dated: August 9, 2024, Compliance Check History, Alcohol Awareness Certified Employee List, and Ocean City Police Department (OCPD) Incident Case Report #2024-003107, into evidence regarding violations that occurred on July 17, 2024. Mr. Coates asked the licensee did they receive this information and were there any corrections or changes. Myers stated "Yes," the information was received and there are no corrections or changes stating that we are completely responsible for this violation. Myers stated to the Board we have several procedures in place, we have anyone serving alcohol be TIPS/TAM certified, after taking the TIPS/TAM training we have them sign a letter stating they understand the training, and they understand our establishment does not accept vertical IDs, there are signs posted throughout the kitchen and server areas. Myers stated his frustration with all these procedures in place we still failed. Sgt. Snyder gave testimony they were conducting this alcohol check as the result of a complaint. Sgt. Snyder stated that the server did ask for IDs and the vertical IDs were also checked by a manager and both cadets were served. Sgt. Snyder stated he believes both the server and manager were year-round employees not J1 students. Myers stated to the Board the server did not follow the procedures and check with the manager and the second person was a server not a manager. Morgan, manager at Bad Monkey, stated I was working on the floor that day and neither of the servers involved in this incident attempted to find me, I had no knowledge of this incident until I was alerted that an OCPD officer was asking for management. Morgan displayed the documents showing both servers had been trained and signed stating they understood the rules and regulations of the Bad Monkey. Myers stated in closing the only thing I can say is our business is based around making this establishment a family-friendly establishment, we do not want to serve minors, this is why we have spent so much time with our employees in the hope of ensuring this would not happen.

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR BAD MONKEY – LICENSE #813
SEPTEMBER 16, 2024

THE BOARD FOUND THAT THE VIOLATIONS DID OCCUR ON JULY 17, 2024, AND IMPOSED A \$500 FINE FOR THE 1ST OFFENSE AND A \$500 FINE FOR THE 2ND OFFENSE, THAT ARE TO BE PAID BY CERTIFIED CHECK OR CASH BY THURSDAY, SEPTEMBER 19, 2024, BY NOON AND IF NOT PAID THE LICENSE WOULD BE SUSPENDED UNTIL THE FINES ARE PAID IN FULL. FINES PAID SEPTEMBER 18, 2024

Motion	1st	Mr. Nichols	2nd	Ms. Pusey	Approved:	<input checked="checked" type="checkbox"/>	Yes	<input type="checkbox"/>	No
---------------	-----	-------------	-----	-----------	------------------	--	-----	--------------------------	----

Restrictions:

Time Hearing Ended: 2:03 P.M.

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR JACKSPOT – LICENSE #90
SEPTEMBER 16, 2024

Members Present:	William E. Esham, Jr., Chairman	X	R. Charles Nichols	X	Marty W. Pusey	X
	Alternate Board Member: Reese Cropper, III	<input type="checkbox"/>				
Staff Present:	April Payne, Administrator	X	Harold (Skip) Cook, Investigator			X
	Thomas K. Coates, Esq., Board Attorney	X	Alternate Board Attorney: Name:			<input type="checkbox"/>
	Donna Hughes, Liquor License Specialist	X	Kelly Henry, Technical Services Manager			X
			Valarie Dawson, Court Reporter			X
License #:	#90	Hearing Date:	September 16, 2024		Time Hearing Started:	2:20 p.m.
Class:	Class "B"	Type:	B/W/L		Day:	7 Day
For: Trace Ocean City 1, LLC		T/A: Jackspot		Address: 306 Dorchester Street Ocean City, Maryland 21842		
New Application:	<input type="checkbox"/> Yes	Transfer:	<input type="checkbox"/> Yes		Meeting:	<input type="checkbox"/> Yes
					Violation:	X Yes
Items to be discussed: Jackspot Class "B" B/W/L 7 Day License Violation of Alcoholic Beverages Article, Section 6-304 (Sales to Minors)						
Applicants:	<input type="checkbox"/>	Licensees:	X		Representative:	
1. Adam C. Horne			Demetrios G. Kaouris, Esquire			
Witnesses:			Protestants:			
1. Max Nicholson (Manager)			1. Sgt. Douglas Smith			
2.			2. Cpl. John Spicer			
Exhibits:			Exhibits:			
1.			Board's Exhibit #1 – Board's Investigation Report Dated August 8, 2024, Compliance Check History, Alcohol Awareness Certified Employee List, and Ocean City Police Department (OCPD) Incident Case Report #2024-001280			
<p>Hearing Minutes: The licensee along with their attorney Demetrios Kaouris, Esquire appeared before the Board for a Class "B" B/W/L 7 Day License Violation of Alcoholic Beverages Article, Section 6-304 (Sales to Minors). The licensee and witness were sworn in. Mr. Coates submitted (Board's Exhibit #1) Board's Investigation Report Dated: August 8, 2024, Compliance Check History, Alcohol Awareness Certified Employee List, and Ocean City Police Department Incident Case Report #2024-001280, into evidence regarding violations that occurred on May 31, 2024. Mr. Coates asked Kaouris did they receive this information and were there any corrections or changes. Kaouris introduced himself to the Board and stated he is here today representing Adam Horne, and Trace Ocean City 1, LLC. Kaouris stated there are no corrections or changes we are here today for mitigation. Kaouris stated to the Board that the Jackspot takes this violation very seriously, and takes full responsibility for this incident, the establishment was opening for the first time and the staff were not properly trained to ensure an incident like this would happen. Horne stated that the establishment has daily training sessions stressing the importance of checking IDs and if the ID is vertical, they must take to a manager before serving the patron an acholic beverage. We have all our servers and bartenders TIPs/TAM trained now and we have installed scanners to scan all IDs. Commissioner Pusey asked Horne was the server an experienced server. Horne stated "Yes," when we hired her, she had five years' experience serving alcohol, but this was her first day serving at the Jackspot. Commissioner Esham, do you know if the server had received any training. Horne stated she had not received any training from Jackspot, stating we understand there should have been more training before the incident, but we were struggling to hire staff and get the restaurant open. Commissioner Esham asked Cpl. Spicer if this was a trouble spot. Cpl. Spicer stated this is their first summer opened, we conducted another spot check with cadets and the server did not serve, we don't anticipate any further problems with this establishment, the staff was cooperative and polite.</p>						

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR JACKSPOT – LICENSE #90
SEPTEMBER 16, 2024

THE BOARD FOUND THAT THE VIOLATIONS DID OCCUR ON MAY 31, 2024, AND IMPOSED \$500 FINE FOR THE 1ST OFFENSE AND A \$500 FINE FOR THE 2nd OFFENSE, THAT ARE TO BE PAID BY CERTIFIED CHECK OR CASH BY THURSDAY, SEPTEMBER 19, 2024, BY NOON AND IF NOT PAID THE LICENSE WOULD BE SUSPENDED UNTIL THE FINES ARE PAID IN FULL. FINES PAID SEPTEMBER 19, 2024

Motion	1st	Mr. Nichols	2nd	Ms. Pusey	Approved:	<input checked="checked" type="checkbox"/>	Yes	<input type="checkbox"/>	No
---------------	-----	-------------	-----	-----------	------------------	--	-----	--------------------------	----

Restrictions:

Time Hearing Ended: 2:30 p.m.

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR GREENE TURTLE – LICENSE #169
SEPTEMBER 16, 2024

Members Present:		William E. Esham, Jr., Chairman		<input checked="" type="checkbox"/>	R. Charles Nichols	<input checked="" type="checkbox"/>	Marty W. Pusey	<input checked="" type="checkbox"/>
		Alternate Board Member: Reese Cropper, III		<input type="checkbox"/>				
Staff Present:		April Payne, Administrator		<input checked="" type="checkbox"/>	Harold (Skip) Cook, Investigator			<input checked="" type="checkbox"/>
		Thomas K. Coates, Esq., Board Attorney		<input checked="" type="checkbox"/>	Alternate Board Attorney: Name:			<input type="checkbox"/>
		Donna Hughes, Liquor License Specialist		<input checked="" type="checkbox"/>	Kelly Henry, Technical Services Manager			<input checked="" type="checkbox"/>
					Valarie Dawson, Court Reporter			<input checked="" type="checkbox"/>
License #:	#169	Hearing Date:	September 16, 2024		Time Hearing Started:	2:32 P.M.		
Class:	Class "D"	Type:	B/W/L		Day:	7 Day		
For: Tee & Ess Corporation, Inc.		T/A: Greene Turtle		Address: 11601 Coastal Highway Ocean City, Maryland 21842				
New Application:	<input type="checkbox"/> Yes	Transfer:	<input type="checkbox"/> Yes	Meeting:	<input type="checkbox"/> Yes	Violation:	<input checked="" type="checkbox"/> Yes	
Items to be discussed: Greene Turtle Class "D" B/W/L 7 Day License Violation of Alcoholic Beverages Article, Section 6-304 (Sales to Minors)								
Applicants:	<input type="checkbox"/>	Licensees:	<input checked="" type="checkbox"/>		Representative:			
1. Dawne A. Pappas		Peter Buas, Esquire						
Witnesses:				Protestants:				
1. Steve Pappas (General Manager)		1. Sgt. Douglas Smith (OCPD)						
2.		2. Cpl. John Spicer (OCPD)						
Exhibits:				Exhibits:				
1.		Board's Exhibit #1 – Board's Investigation Report Dated August 14, 2024, Compliance Check History, Alcohol Awareness Certified Employee List, and Ocean City Police Department (OCPD) Incident Case Report #2024-002248						
<p>Hearing Minutes: The licensee and witness along with their attorney Peter Buas, Esquire appeared before the Board for a Class "D" B/W/L 7 Day License Violation of Alcoholic Beverages Article, Section 6-304 (Sales to Minors). The licensee and witness were sworn in. Mr. Coates submitted (Board's Exhibit #1) Board's Investigation Report Dated: August 14, 2024, Compliance Check History, Alcohol Awareness Certified Employee List, and Ocean City Police Department Incident Case Report #2024-002248, into evidence regarding a violation that occurred on June 21, 2024. Mr. Coates asked Buas did they receive this information and were there any corrections or changes. Buas introduced himself to the Board and stated he is representing Dawne Pappas today. Buas stated there are no corrections or changes we are here today for mitigation. Buas asked S. Pappas, general manager (GM), to tell the Board about his experience. Pappas stated he has been working at the Greene Turtle for around 20 years working in every job title and now I'm the general manager. Pappas explained to the Board the training process is that all serving staff must take the TIPs/TAM course after the incident occurred, we also purchased an ID scanning system. Buas asked Pappas what the policy for vertical IDs is. Pappas stated that all vertical IDs must be verified by a manager and if the patron is in question we request a second form of ID before the patron can be served. We also have security at the entrance door checking IDs from 9 p.m. to 2 a.m. Buas asked Pappas to tell the Board what other steps have been taken since the incident. Pappas stated since the incident we have an officer from OCPD conduct training sessions highlighting recognizing vertical IDs and the consequences of selling to minors. We have also purchased an IDs scanners that will scan all IDs meaning we have at server stations and security will be scanning at entrance door to prevent someone underage even getting in the door. Sgt. Smith gave testimony that Greene Turtle has always been a great partner with OCPD, he believes this is an isolated incident.</p> <p>THE BOARD FOUND THAT THE VIOLATIONS DID OCCUR ON JUNE 21, 2024, AND IMPOSED A \$500 FINE FOR THE 1ST OFFENSE AND A \$500 FINE FOR THE 2ND OFFENSE, THAT ARE TO BE PAID BY CERTIFIED CHECK OR CASH BY THURSDAY, SEPTEMBER 19, 2024, BY NOON AND IF NOT PAID THE LICENSE WOULD BE SUSPENDED UNTIL THE FINES ARE PAID IN FULL. FINES PAID ON SEPTEMBER 18, 2024</p>								
Motion	1st	Mr. Nichols	2nd	Ms. Pusey	Approved:	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/> No
Restrictions:								
Time Hearing Ended: 2:40 p.m.								

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR TRATTORIA LOMBARDI'S – LICENSE #126
SEPTEMBER 16, 2024

Members Present:		William E. Esham, Jr., Chairman		X	R. Charles Nichols	X	Marty W. Pusey	X
		Alternate Board Member: Reese Cropper, III		<input type="checkbox"/>				
Staff Present:		April Payne, Administrator		X	Harold (Skip) Cook, Investigator			X
		Thomas K. Coates, Esq., Board Attorney		X	Alternate Board Attorney: Name:			<input type="checkbox"/>
		Donna Hughes, Liquor License Specialist		X	Kelly Henry, Technical Services Manager			X
					Valarie Dawson, Court Reporter			X
License #:	#126	Hearing Date:	September 16, 2024		Time Hearing Started:	2:42 p.m.		
Class:	Class "B"	Type:	B/W/L		Day:	7 Day		
For: Calcara, Inc.		T/A: Trattoria Lombardi's		Address: 9203 Coastal Highway Ocean City, Maryland 21842				
New Application:	<input type="checkbox"/> Yes	Transfer:	<input type="checkbox"/> Yes		Meeting:	<input type="checkbox"/> Yes	Violation:	X Yes
Items to be discussed: Trattoria Lombardi's Class "B" B/W/L 7 Day License Violation of Alcoholic Beverages Article, Section 6-304 (Sales to Minors)								
Applicants:	<input type="checkbox"/>	Licensees:	X		Representative:			
1.		Mark Cropper, Esquire						
Witnesses:		Protestants:						
1. Kimberly Holloway (General Manager)		1. Sgt. Douglas Smith (OCPD)						
2.		2. Cpl. John Spicer (OCPD)						
Exhibits:		Exhibits:						
1. Licensee's Exhibit #1 – Letter from Ines Salla the server that sold to the minors		Board's Exhibit #1 – Board's Investigation Report Dated August 14, 2024, Compliance Check History, Alcohol Awareness Certified Employee List, and Ocean City Police Department (OCPD) Incident Case Report #2024-002402						
<p>Hearing Minutes: The attorney Mark Cropper, Esquire introduced himself to the Board and stated he is representing Trattoria Lombardi's today for a Class "B" B/W/L 7 Day Violation of Alcoholic Beverages Article, Section 6-304 (Sales to Minors). Mr. Coates submitted (Board's Exhibit #1) Board's Investigation Report Dated: August 14, 2024, Compliance Check History, Alcohol Awareness Certified Employee List, and Ocean City Police Department Incident Case Report #2024-002402, into evidence regarding violations that occurred on June 25, 2024. Mr. Coates asked Cropper did he receive this information and were there any corrections or changes. Cropper stated "Yes," there are no corrections or changes we are here today for mitigation. Cropper asked Holloway how many years she has been employed with Lombardi's. Holloway stated she has been with Lombardi's for 42 years. Cropper submitted (Licensee's Exhibit #1) letter from Ines Salla, server that served the minors. Cropper asked Holloway is the server still employed. Holloway stated "No," she has returned to her country. Cropper read the letter from Salla, aloud to the Board where she states taking full responsibility for the incident and stated that she had received training regarding the importance of verifying IDs, especially the vertical IDs. Cropper asked Holloway to tell the Board what the training process is at Lombardi's. Holloway stated at Lombardi's we have a long training process making sure new employees have a understanding of the restaurant policies and operating processes, when the employee is placed on the floor we have the new servers shadow experienced servers that are veterans some of servers have been with this establishment for over 20 years, the servers follow this training process for numerous days interacting with the customers and then we have the new servers switch with the experience servers so that the experience server can observe the new employee. Holloway stated herself along with other managers are hands on and usually always have clear view of our servers so that we can intervein if we are suspension, we can quickly step in and ask for ID once again to ensure the patrons are not underage. Holloway stated that all our year-round staff are TIPS/TAM trained, unfortunately we are not able to get the J1s trained because they are only with us a short period of time. Holloway stated that it has always been Lombardi's policy not to accept vertical IDs period, we've had families come to celebrate their son or daughter turning 21 and present a vertical ID, and we have refused service upsetting the dining party, our reply</p>								

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR TRATTORIA LOMBARDI'S – LICENSE #126
SEPTEMBER 16, 2024

is this is a strict policy we go by. Cropper asked Holloway since this incident there has been another policy implemented. Holloway stated "Yes," we have ordered an ID scanner and all serving staff has installed VMOS app on their phone to scan IDs. Sgt. Smith stated this was a complete surprise to himself and Sgt. Spicer that this incident had occurred, the staff is always polite and helpful, and this is known to be a family dining restaurant. Commissioner Pusey asked if the server had been given any training. Holloway stated "Yes," she had spent numerous hours shadowing our experienced staff, we also post information regarding checking IDs and more important vertical IDs throughout the kitchen, and work with the employees each day. Commissioner Nichols asked how many employees are employed. Holloway stated in the summer we employ about 54 employees.

THE BOARD FOUND THAT THE VIOLATIONS DID OCCUR ON JUNE 25, 2024, AND IMPOSED A \$500 FINE FOR THE 1ST OFFENSE AND A \$500 FINE FOR THE 2ND OFFENSE, THAT ARE TO BE PAID BY CERTIFIED CHECK OR CASH BY THURSDAY, SEPTEMBER 19, 2024, BY NOON AND IF NOT PAID THE LICENSE WOULD BE SUSPENDED UNTIL THE FINES ARE PAID IN FULL. FINES PAID ON SEPTEMBER 19, 2024

Motion:	1st	Ms. Pusey	2nd	Mr. Nichols	Approved:	<input checked="checked" type="checkbox"/>	Yes	<input type="checkbox"/>	No
----------------	-----	-----------	-----	-------------	------------------	--	-----	--------------------------	----

Restrictions:

Time Hearing Ended: 2:50 p.m.

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR PIZZA TUGO'S – LICENSE #707
SEPTEMBER 16, 2024

Members Present:		William E. Esham, Jr., Chairman		X	R. Charles Nichols	X	Marty W. Pusey	X
		Alternate Board Member: Reese Cropper, III		<input type="checkbox"/>				
Staff Present:		April Payne, Administrator		X	Harold (Skip) Cook, Investigator			X
		Thomas K. Coates, Esq., Board Attorney		X	Alternate Board Attorney: Name:			<input type="checkbox"/>
		Donna Hughes, Liquor License Specialist		X	Kelly Henry, Technical Services Manager			X
					Valarie Dawson, Court Reporter			X
License #:	#707	Hearing Date:	September 16, 2024		Time Hearing Started:	12:50 P.M.		
Class:	Class "B"	Type:	B/W/L		Day:	7 Day		
For: Heise Corporation			T/A: Pizza Tugo's		Address: 11619-11623 Coastal Highway Ocean City, Maryland 21842			
New Application:	<input type="checkbox"/> Yes	Transfer:	<input type="checkbox"/> Yes		Meeting:	<input type="checkbox"/> Yes	Violation:	X Yes
Items to be discussed: Pizza Tugo's Class "B" B/W 7 Day License Violation of Alcoholic Beverages Article, Section 6-304 (Sales to Minors)								
Applicants:	<input type="checkbox"/>	Licensees:	X		Representative:			
1. Michael S. Heise					Hugh Cropper, Esquire			
Witnesses:					Protestants:			
1. Diana Ziskay (Manager)					1. Sgt. Douglas Smith (OCPD)			
2.					2. Sgt. Christopher Snyder (OCPD)			
Exhibits:					Exhibits:			
1.					Board's Exhibit #1 – Board's Investigation Report Dated August 9, 2024, Compliance Check History, Alcohol Awareness Certified Employee List, and Ocean City Police Department (OCPD) Incident Case Report #2024-002370			
<p>Hearing Minutes: The licensee along with his attorney Hugh Cropper, Esquire appeared before the Board for a Class "B" B/W 7 Day License Violation of Alcoholic Beverages Article, Section 6-304 (Sales to Minors). The licensee and witness were sworn in. Mr. Coates submitted (Board's Exhibit #1) Board's Investigation Report Dated: August 9, 2024, Compliance Check History, Alcohol Awareness Certified Employee List, and Ocean City Police Department Incident Case Report #2024-002370, into evidence regarding violations that occurred on June 24, 2024. Mr. Coates asked Cropper did they receive this information and were there any corrections or changes. Cropper introduced himself to the Board and stated he is here today representing Michael S. Heise. Cropper stated there are no corrections or changes we are here today for mitigation. Cropper asked Ziskay you have been employed with Heise for 30 years, and you were the manager on duty the day of the incident. Ziskay stated "Correct." Cropper asked Ziskay to explain to the Board what happen the day of the incident. Ziskay stated the server was a J1 student whom she felt spoke and understood quickly, this was her first day working and she was shadowing an experienced server that was TIPs/TAM certified, noting the new server was not yet TIPs/TAM certified. Ziskay stated the server requested ID from the cadets, upon receiving the vertical IDs from the cadets, she reviewed the IDs then showed to the staff person she was shadowing, then served the cadets their alcoholic beverages. Cropper asked Ziskay, the restaurant policy is that all vertical IDs must be approved by management before serving an alcoholic beverage. Ziskay stated "Correct." Commissioner Esham asked was this a troubled location. Sgt. Smith stated that he has no problems with Pizza Tugo's, they have always been cooperative and support the community. Commissioner Pusey made the statement she is surprised at how often vertical IDs are being accepted at establishments and resulting in having to come in front of this Board, noting a vertical ID should always be a "Red Flag," to anyone serving or selling alcoholic beverages.</p> <p>THE BOARD FOUND THAT THE VIOLATIONS DID OCCUR ON JUNE 24, 2024, AND IMPOSED A \$500 FINE FOR THE 1ST OFFENSE AND \$500 FINE FOR THE 2ND OFFENSE, THAT ARE TO BE PAID BY CERTIFIED CHECK OR CASH BY THURSDAY, SEPTEMBER 19, 2024, BY NOON AND IF NOT PAID THE LICENSE WOULD BE SUSPENDED UNTIL THE FINES ARE PAID IN FULL. FINES PAID SEPTEMBER 16, 2024</p>								
Motion:	1st	Mr. Nichols	2nd	Ms. Pusey	Approved:	X	Yes	<input type="checkbox"/> No
Restrictions:								
Time Hearing Ended: 1:00 P.M.								

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR GUIDO'S BURRITOS – LICENSE #762
SEPTEMBER 16, 2024

Members Present:		William E. Esham, Jr., Chairman		X	R. Charles Nichols	X	Marty W. Pusey	X
		Alternate Board Member: Reese Cropper, III		<input type="checkbox"/>				
Staff Present:		April Payne, Administrator		X	Harold (Skip) Cook, Investigator			X
		Thomas K. Coates, Esq., Board Attorney		X	Alternate Board Attorney: Name:			<input type="checkbox"/>
		Donna Hughes, Liquor License Specialist		X	Kelly Henry, Technical Services Manager			X
					Valarie Dawson, Court Reporter			X
License #:	#762	Hearing Date:	September 16, 2024		Time Hearing Started:	2:50 p.m.		
Class:	Class "B"	Type:	B/W/L		Day:	7 Day		
For: Guido's Burritos, LLC		T/A: Guido's Burritos		Address: Unit 1, Rideau Motor Inn 9 N. Boardwalk Ocean City, Maryland 21842				
New Application:	<input type="checkbox"/> Yes	Transfer:	<input type="checkbox"/> Yes		Meeting:	<input type="checkbox"/> Yes	Violation:	X Yes
Items to be discussed: Guido's Burritos Class "B" B/W/L 7 Day License Violation of Alcoholic Beverages Article, Section 6-304 (Sales to Minors) Violation of Alcoholic Beverages Article, Section 33-208 Boards Rules and Regulations Rules, 7, 9, 10 and 32 D. 6. and 14. has occurred								
Applicants:	<input type="checkbox"/>	Licensees:	X		Representative:			
1. Rocco F. Difilippo					Mark Cropper, Esquire			
Witnesses:					Protestants:			
1. Joseph Mark Ochse (General Manager)					1. Sgt. Douglas Smith			
2. Andra Paula Sucia (Manager)					2. Officer Timothy Passarello			
3. Dmytro Delurman (Manager)					3. PFC Christopher Calabrese			
Exhibits:					Exhibits:			
1.					Board's Collective Exhibit #1 – Board's Investigation Report Dated August 9, 2024, Compliance Check History, Alcohol Awareness Certified Employee List, and Ocean City Police Department (OCPD) Incident Case Report #2024-001279 and OCPD Case Report #2024-003396			
Hearing Minutes: The licensee Rocco F. DeFilippo appeared before the Board for a Class "B" 7 Day License Violation of Violation of Alcoholic Beverages Article, Section 6-304 (Sales to Minors) Violation of Alcoholic Beverages Article, Section 33-208 Boards Rules and Regulations Rules, 7, 9, 10 and 32 D. 6. and 14. has occurred. The licensee and witnesses were sworn in. Mr. Coates submitted (Board's Collective Exhibit #1) Board's Investigation Report Dated: August 9, 2024, Compliance Check History, Alcohol Awareness Certified Employee List, and Ocean City Police Department (OCPD) Incident Case Report #2024-001279 regarding violations that occurred on May 31, 2024, also attached to report OCPD Case Report #2024-003396 for a noise violation that occurred on July 29, 2024, into evidence. Mr. Coates asked Cropper did they receive this information and were there any corrections or changes. Cropper stated "Yes," they had received and there are no corrections or changes we are here today for mitigation. Cropper asked Difilippo to explain the establishments training process. Difilippo stated we have our new servers shadow our experience servers for about seven days, and we have signs posted throughout the kitchen area, and all servers must be TIPs/TAM certified. Ochse stated we put all new hires through additional training on how to check IDs and identify fake IDs, noting we don't allow new employees to step on the floor to serve until we feel they are ready. Cropper stated that Harmon, the server that served the two minor cadets had only been employed for three days and lacked experience. Ochse stated he is confused how this could have happened because we had just met with Harmon along with other staff members that morning to review the ID checking process. Cropper stated to DiFilippo as a part of your license restrictions you are not allowed to have a disc jockey (DJ), over the years you have had a person that would select music based on the age, and charter of your crowd which is different from a DJ. DiFilippo replied "Correct." Cropper asked DiFilippo the night of the noise violation Delurman was the manager on duty unfortunately was not familiar with Guido's Burritos license restrictions as you and Ochse. "Correct." Cropper								

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR GUIDO'S BURRITOS – LICENSE #762
SEPTEMBER 16, 2024

asked DiFilippo, you do understand that it is your responsibility as the license holder that your management understand the difference between a DJ and a person playing music. DiFilippo replied "Yes." Cropper stated that since this violation you have met with all your management staff to explain to them the license restrictions in detail to ensure this type of incident does not happen again. DiFilippo replied "Correct." Cropper stated DiFilippo along with the violation regarding your license restrictions Guido's also received a noise violation, since this incident can you tell the Board what steps you have taken to resolve this issue. DiFilippo stated there was a speaker in front that was facing the Boardwalk, we have moved this speaker to the back of the building and have lowered the volume. Sgt. Smith stated that he had no knowledge of the noise violation, they were polite and cooperative regarding the sales to minors violation. PFC. Calabrese gave testimony that he was conducting a bicycle patrol in the area, when I heard loud music emanating from Guido's Burritos. As I approached the establishment, I could see a disc jockey (DJ), who was recognized as Caleb Ochse, I observed sound amplification equipment that projected music out to the bar patrons. It was also observed that Ochse was manipulating the controls of the equipment as well as using a microphone to interact with the bar patrons. Calabrese stated he took numerous meter readings ranging from 75.9 decibel to 87.4 decibel, all of which are above the Ocean City noise ordinance standard of less than 55 decibel at night. PFC stated it should be noted Ochse would lower the music as soon as I was in view and then turn the music up as I was walking away, this felt like playing tag. Commissioner Nichols asked who the DJ was. PFC. Calabrese stated his name is Caleb Ochse, and we have witnessed him at this establishment the entire summer, mainly on Sundays. Commissioner Nichols asked if he was still operating on Sundays as a DJ. PFC. Calabrese stated he has observed him there since the incident. M. Ochse, General Manager (GM) stated that "No," as someone that is choosing the music not acting as a DJ. PFC Calabrese stated that he was unaware this was a license restriction noting that C. Ochse was observed several times throughout the summer performing as a DJ at this property. Commissioner Nichols asked the question this person has been performing at this establishment the entire summer. DiFilippo stated "Yes," for years stating that we were unaware of the violation using the microphone until we received it in the mail. DiFilippo stated Ochse had not used the microphone in the past years, I'm not sure why he began using a microphone as a practice, if we were aware of the license restriction we would have taken steps to stop this practice. Commissioner Pusey asked what OCPD procedure is with enforcing establishments that violate the noise ordinance that don't hold a liquor license. PFC. Calabrese stated "Yes," there can be a fine imposed, with this incident I was instructed by "Chain of Command" to forward the report to this Board. Commissioner Nichols questioned M. Ochse about what his relationship with the DJ was and did he hire him. M. Ochse stated he's my brother, and I did not hire him years ago. Commissioner Nichols asked M. Ochse you are the GM, so you do manage what he does at the property. M. Ochse stated "Yes." Commissioner Pusey asked Delirman if you were the manager on duty that night were you made aware that officers were on the property regarding the noise. Delirman stated "No." Commissioner Nichols asked M. Ochse were you aware of what was going on that night. Ochse replied "No." Cropper asked Ochse when he was made aware of the incident. Ochse stated he only know of this incident when the notice of this hearing was received. DiFilippo stated this is also when he was made aware of the incident, I'm not sure if Delirman didn't know because this may have been between the DJ and the officer. Commissioner Esham stated what I find most disturbing is that a license holder wasn't aware of their license restriction regarding a DJ and interacting with patrons. Commissioner Nichols stated to M. Ochse you are the GM, how long has this been going on, a person acting as a DJ and interacting with the patrons. M. Ochse stated there is a fine line between someone that picks the music and someone that interacts with the patrons. Commissioner Nichols reminded Ochse he is under oath. Ochse stated "Understood." Ochse stated it had only happened three times after the incident in July. Commissioner Esham stated to Ochse you gave testimony under oath that you didn't know anything about this until a week ago when you received the report, what is the truth. Ochse stated the use of the microphone happened a couple times after the July incident. Commissioner Esham, how did you find out about the violation. Ochse stated when I received the report. Cropper asked Ochse when this report was delivered. Administrator Payne stated the summons were mailed to the licensees on September 3, 2024. Cropper stated the reason I'm questioning this is asking Ochse you are stating you were not made aware of these violations until September 3, 2024. Ochse stated "Correct." Cropper asked Ochse if it is also correct you were not aware that the establishment was in violation using a DJ. Ochse stated "Yes." Commissioner Nichols stated he heard M. Ochse gave testimony under oath that a DJ, his brother had performed with a microphone several times before July 29th. Cropper stated he is not disputing this he is stating that DiFilippo and Ochse were not aware until September 3rd what the problem was associated, meaning they were allowed to have someone selecting the music to be played but were not allowed to

have that person using a microphone and interacting with the patrons. Commissioner Nichols asked Ochse, your brother did not contact you that night and never told you about the incident with the officers. Ochse stated "No."

Mr. Coates announced the meeting is now being reconvened into an open session.

Mr. Esham announced the Board will go into closed session. The Board is acting in its Quasi-Judicial capacity and is not subject to the Open Meeting Act pursuant to Section 3-103 of the General Provisions Articles of the annotated Code of Maryland.

Commissioner Nichols stated he will amend his motion to delete all entertainment at this location, allowing the doors to remain open, Commissioner Pusey seconded the motion.

THE BOARD FOUND THAT THE VIOLATIONS DID OCCUR, \$500 FINE IMPOSED FOR THE 1ST OFFENSE AND \$500 FINE FOR THE 2ND OFFENSE SALES TO MINORS. – \$1,000 FINE IMPOSED FOR THE VIOLATION OF THE LICENSE RESTRICTIONS AS IT RELATES TO A DISC JOCKEY – FINES MUST BE PAID BY THURSDAY, SEPTEMBER 19, 2024, BY NOON - VIOLATIONS OF BOARDS RULES AND REGULATIONS – SEVEN-DAY SUSPENSION EFFECTIVE AT 5 P.M. SEPTEMBER 16, 2024, PROPERTY MAY REOPEN ON MONDAY, SEPTEMBER 23, 2024, NO LIVE ENTERTAINMENT ALLOWED. NO MUSIC TECHNICIAN ALLOWED; BACKGROUND MUSIC ALLOWED. FINES PAID ON SEPTEMBER 19, 2024

Motion	1st	Mr. Nichols	2nd	Ms. Pusey	Approved:	X	Yes	<input type="checkbox"/>	No
Restrictions:									
Time Hearing Ended: 3:30 P.M.									