

AGENDA
BOARD OF LICENSE COMMISSIONERS
OCTOBER 16, 2024

The public is invited to view this meeting live online at - <https://worcestercountymd.swagit.com/live>

12:50 - Administrative Matters and Approval of Minutes

1:00 - Application for Class “B” B/W/L 7 Day License
Request to designate as Multiple License #2
T/A: Jolly Jellyfish Beach Club
9800 Coastal Highway/Ocean City

1:10 - Application for Transfer of a Class “B” B/W/L 7 Day License
Request to designate as Multiple License #3
From Braddah Barney’s LLC to Oaked at the Globe, LLC
Oaked at the Globe/12 Broad Street, Berlin

1:25 - Meeting/Forgotten Fifty
Class “D” B/W/L 7 Day License
Request to expand the licensed premises
Request for live entertainment outside with a maximum of four pieces amplified from
1 p.m. to 5 p.m. on weekends
10103 Old Ocean City Road/Berlin

1:40 - Meeting/Embers Restaurant & Blu Crabhouse
Class “B” B/W/L 7 Day License
Request to expand the licensed premises
Request to add 47 various arcade games
2305 Philadelphia Avenue/Ocean City

1:55 - Hearing/Sello’s Oven & Bar
Class “B” B/W/L 7 Day License
Violation of Alcoholic Beverages Article, Section 6-304 (Sale to a Minor)
9802 Golf Course Road/Ocean City

2:05 - Hearing/Lighthouse Sound Restaurant
Class “B” B/W/L 7 Day License
Violation of Alcoholic Beverages Article, Section 6-304 (Sale to a Minor)
12723 St. Martins Neck Road/Bishopville

2:15 - Hearing/Leons at the Beach
Class “B” B/W/L 7 Day License
Violation of Alcoholic Beverages Article, Section 6-304 (Sale to a Minor)
11805 “L” Coastal Highway/Ocean City

2:30 - Miscellaneous and other business

**Worcester County Board of License Commissioners
Open Meetings Act Minutes
September 16, 2024**

Time: 11:50 p.m.

Location: Worcester County Governmental Center, Board Room, Room 1102

Attendance:

License Commissioners

William E. Esham, Jr.

R. Charles Nichols

Marty W. Pusey

Staff:

Thomas K. Coates, Esquire

April R. Payne, Liquor License Administrator

Harold (Skip) Cook, Board Investigator

Kelly L. Henry, Technical Services Manager

Donna J. Hughes, Liquor License Specialist

I. Call to Order

II. Administrative Matters

Review and Approval of Minutes, for August 21, 2024, the Board of License Commissioners reviewed the minutes, and a motion was made by Commissioner Nichols, seconded by Commissioner Esham and carried unanimously to approve the minutes as submitted.

III. Closed Session - Administrative Matters

The Board along with Matthew Laick, DRP Deputy Director, discussed the implementation and legal guidelines regarding all Worcester County Boards starting to be live streamed as a part of the Public Information Act.

IV. Open Session

No administrative matters were discussed in Closed Session

V. Adjournment

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR 7-11 - LICENSE #278
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 #:	#278	Hearing Date:	September 16, 2024		Time Hearing Started:	12:00 P.M.		
Class:	Class "A"	Type:	B/W		Day:	7 Day		
For:	OCSpicer's 9404, LLC		T/A: 7-11		Address: 9404 Coastal Highway Ocean City, Maryland 21842			
New Application:	<input type="checkbox"/> Yes	Transfer:	X Yes		Meeting:	<input type="checkbox"/> Yes	Violation:	<input type="checkbox"/> Yes
Items to be discussed: Application for Transfer of Class "A" B/W 7 Day License from North Bend, Inc. to OCSpicer's 9404, LLC								
Applicants:	X	Licensees:	<input type="checkbox"/>		Representative:			
1. Barbara R. Spicer					Hugh Cropper, Esquire			
Witnesses:					Protestants:			
1. Patrick Spicer (Manager)					1.			
Exhibits:					Exhibits:			
1. Applicant's Exhibit #1 – Barbara Spicer's TIPS Certificate					1.			
<p>Hearing Minutes: The applicant and witness along with their attorney Hugh Cropper, Esquire appeared before the Board with an application to transfer a Class "A" B/W 7 Day license from North Bend, Inc. to OCSpicer's 9404, LLC. The applicant was sworn in. Hugh Cropper introduced himself to the Board and stated he will be representing the applicant Barbara R. Spicer today. Cropper asked Spicer you will be the sole member of the LLC, and you understand you will also be the resident agent. Spicer replied "Yes." Cropper asked Spicer if she had read and understood the Board Rules and Regulations. Spicer stated "Yes." Cropper submitted (Applicant's Exhibit #1) Barbara Spicer's TIPS certificate. Cropper stated to Spicer is it correct the employees from North Bend, Inc will continue to be employed and are TIPS/TAM certified. Spicer stated "Yes." Cropper asked Spicer you will be hiring your son Patrick Spicer to help manage the business, he will not have any ownership in the business he will have a fixed salary. Spicer replied "Correct."</p> <p>Commissioner Nichols asked Spicer how many employees you will have at this location. Spicer stated about ten to twelve employees will be shift work. Commissioner Esham asked Spicer will she be adding any seating. Spicer stated "No." Spicer stated this location will continue to operate in the same manner as it has for past years.</p> <p>THE BOARD APPROVED THE APPLICATION FOR TRANSFER OF A CLASS "A" B/W 7 DAY LICENSE FROM NORTH BEND, INC. TO OCSPICER'S 9404, LLC.</p>								
Motion:	1st	Mr. Nichols	2nd	Mr. Esham	Approved:	X	Yes	<input type="checkbox"/> No
Restrictions: SAME RESTRICTIONS								
Time Hearing Ended: 12:05 P.M.								

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>								

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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
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Restrictions:

Time Hearing Ended: 12:15 P.M.

DRAFT

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	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 #:	#959	Hearing Date:	September 16, 2024	Time Hearing Started:	12:17 P.M.	
Class:	Class "B"	Type:	B/W/L	Day:	7 Day	
For:	Tipsy Taco, LLC	T/A:	Tipsy 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: X Yes
Items to be discussed: Tipsy 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:	X	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>						

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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="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
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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
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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 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. Coates announced the Board is going into a closed session to discuss legal matters under the provisions of Section 3-305(b)(7) of the General Provisions(GP) Article of the Annotated Code of Maryland. Mr. Coates announced the meeting has been re-convened into 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
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Restrictions:

Time Hearing Ended: 2:20 p.m.

DRAFT

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						
<p>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</p>								

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
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Restrictions:

Time Hearing Ended: 1:15 P.M.

DRAFT

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.

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						
<p>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.</p>								

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
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Restrictions:

Time Hearing Ended: 2:03 P.M.

DRAFT

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				

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.

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
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Restrictions:

Time Hearing Ended: 2:30 p.m.

DRAFT

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="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
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Restrictions:

Time Hearing Ended: 2:50 p.m.

DRAFT

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 Deliruman if you were the manager on duty that night were you made aware that officers were on the property regarding the noise. Deliruman 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 Deliruman 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

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

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 Board is going into a closed session to discuss legal matters under the provisions of Section 3-305(b)(7) of the General Provisions(GP) Article of the Annotated Code of Maryland. Mr. Coates announced the meeting has been re-convened into an open session.

Following a motion by Commissioner Nichols, seconded by Commissioner Pusey and approved by Commissioner Esham, DiFilippo requested clarification regarding the establishment “must have their doors closed during any times music is being played.” DiFilippo stated this establishment the only way of entrance to the building is to roll up the doors, there is no other way into the business.

Mr. Coates announced the Board is going into closed session once again to discuss legal matters under the provisions of Section 3-305(b)(7) of the General Provisions(GP) Article of the Annotated Code of Maryland. Mr. Coates announced the meeting is now re-convened into an open session.

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:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
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Restrictions:

Time Hearing Ended: 3:30 P.M.

"REQUEST FOR MULTIPLE LICENSE #2"

Business Phone No.

WORCESTER COUNTY

Received 9-13-24

ARD

STATE OF MARYLAND

ALCOHOLIC BEVERAGES LAW

APPLICATION FOR A CLASS "B" B/W/L Today LICENSE

"NEW APPLICATION"

For the use of:

(Check one) An Individual ☐ Partnership ☐ Corporation ☐ Unincorporated Association ☐ Limited Liability Co. ☒

To the Board of License Commissioners Worcester County.

Date September 13, 2024

Application is made by the undersigned under the provisions of Article 2B of the Annotated Code of Maryland, as amended, title "Alcoholic Beverages," for the above license, and the applicant(s) submit(s) and certify(ies) to the following information required by the Article.

Fill in all the blanks:

Applications will NOT be accepted without all Applicant information, including middle name.

1. Applicant(s)

(1) Full Name Marc Anthony CustodioResidence 10215 Golf Course Rd., Ocean City, MD 21842

Date of Birth _____

Period of Residence 8 yrs in Wor. County 30 yrsPlace of Birth Camden, NJNaturalized at n/a Year —Telephone Number 443-235-1154Race white Sex male(2) Full Name Sherril Elizabeth CustodioResidence 10215 Golf Course Rd., Ocean City, MD 21842

Date of Birth _____

Period of Residence 7 yrs in Wor. County 11 yrsPlace of Birth Annapolis, MDNaturalized at n/a Year —Telephone Number 410-971-9240Race white Sex Female

(3) Full Name _____

Residence _____

Date of Birth _____

Period of Residence _____ in Wor. County _____

Place of Birth _____

Naturalized at _____ Year _____

Telephone Number _____

Race _____ Sex _____

2. The applicant(s) is/are citizen(s) of the United States, and (if the application is for an individual or a partnership), has/have been for two years next preceding the filing of this application (a) resident(s) of Worcester County. The applicant(s) (if applying as a qualifying individual for a corporation) is a registered voter and taxpayer in Worcester County and shall also have resided there for at least two years prior to the filing of this application. The applicant(s) thus qualified is/are: 1(✓) 2(~~XXX~~) 3() (Check number to correspond with name(s) listed above.)

*

3. State the Retail Sales Tax No.: _____

4. If a corporation, state corporate name and trade name, if any:
- Don't Be Jelly, LLC

If other than a corporation, state trade name to be used: t/a Jolly Jellyfish Beach Club

5. Address of place to be licensed (Give street number or accurate description):
- 9800 Coastal Hwy, Ocean City, MD 21842 (located at the Plaza Condominium)

A. Nearest intersecting street: 98th + Coastal Hwy Approximate distance: _____ feetB. Tax District where located: 10th Is this an application for a new license? yesC. Is this a transfer from a present licensee? _____ From Whom? Add to Multiple License ReportCoastal Pub & Restaurant / Jolly Jellyfish Beach Club (ML1) #187, (ML2) #NEW
(ML1) #187 (ML2) #NEW

(This Board must be furnished releases by the State Comptroller's Office approving the bulk sales transfer and clearing all tax accounts before any license will be transferred.)

D. Are you represented by an attorney? Whom: Joe Moore Tel. No.: 410-289-3553Address: 3509 Coastal Hwy, Ocean City, MD 21842

- E. Describe premises to be licensed: Full Service Beach Club Condominium w/ 42 seats inside & proposed 180 seat out
- F. If this is a new or proposed building or a building not previously licensed, a copy of the bona fide plans must be filed with this application or presented at the time of the hearing.
6. State name and address of owner of record of premises: The Plaza Condominium, Inc., 9800 Coastal Hwy., Ocean City, MD 21842
7. Have you ever been:
- A. Convicted of a misdemeanor? 1 no 2 no 3 _____
- B. Adjudged guilty of violating alcoholic beverage laws by a court, administrative agency or Board of License Commissioners? 1 no 2 no 3 _____
- C. Adjudged guilty of violating gambling laws? 1 no 2 no 3 _____
- D. Adjudged guilty of any offense against the laws of the United States? 1 no 2 no 3 _____
- If so, when and where: N/A
- E. Convicted of a felony or offered a plea of nolo contendere to a felony indictment and charge was subsequently accepted by a court? 1 no 2 no 3 _____
8. A. Have you ever held a license for the sale of alcoholic beverages? 1 yes 2 yes 3 _____
- If yes, state when and where: Coins Pub and Restaurant, 2820 Philadelphia Ave, CCMD 21842
- B. If so, has such license been suspended or revoked? 1 no 2 no 3 _____
- If answer is yes, give full details: _____
- C. If so, were you ever found in violation of any alcoholic beverage law? 1 no 2 no 3 _____
9. Have you ever applied for an alcoholic beverage license in the State of Maryland? 1 yes 2 yes 3 _____
- If answer is yes, state when and where: see above #8
10. What financial interests do you have in the business to be conducted under this license? 1 owner 50% 2 owner 50% 3 _____
11. Are you financially interested in any other alcoholic beverage business for which a license has been applied for, granted or issued? 1 yes 2 yes 3 _____
- If so, give details: see above #8
12. Is your wife or husband, as the case may be, a licensee and does her or she have any financial interest in any other alcoholic beverage business in the State of Maryland? 1 yes 2 yes 3 _____
- If so, give details: both are applicants
13. Is there now, or will there be, during the continuance of the license applied for, any other person financially interested in said license or the business to be conducted thereunder? 1 no 2 no 3 _____
- If so, state name, address, telephone no., age, percent of interest and state whether or not an interest is held in any other alcoholic beverage license: N/A
14. A. Does any manufacturer, brewer, distiller or wholesaler have any financial interest in the premises or business to be conducted under this license? no
- B. Will any such interest be hereafter conveyed or granted to any such manufacturer, brewer, distiller or wholesaler? no
15. Do you now have, or will you hereafter have, any indebtedness or other financial indebtedness, directly or indirectly, to any manufacturer, brewer, distiller or wholesaler, other than for purchase of alcoholic beverage? no
16. A. If granted a license, will you conform to all laws and regulations relating to the business in which you propose to engage? yes
- B. If granted a license, will you agree to keep current all state and local tax obligations including, but not limited to, state sales and use tax, withholding tax and admissions tax? yes

I/We consent to the Board of License Commissioners being furnished with a copy of my/our arrest record, if any, by any state, local, or federal law enforcement or judicial agency. App. #1 yes App. #2 yes App. #3 _____

LIMITED LIABILITY MEMBERSHIP AFFIDAVIT

Name Marc Custodio Residence 10215 Goff Course Rd Clear City MD 21842 Zip Code 21842

Period of Residence 8 years Home Telephone No. Office Telephone No.

Date of Birth N/A Sex M Place of Birth Carlin NJ Social Security No.

Naturalized Yes () No () Where Naturalized Petition No.
 Place of Employment Coins Pub and Restaurant
 Address of Employer 2820 Philadelphia Ave Clear City MD 21842-2185 Length of Employment 2 yrs

1a. What is your ownership interest in the L.L.C.? 50% Percent of Ownership
 1b. What is your capital contribution to the L.L.C.? \$100

2. Have you ever been convicted of a felony, or have you been adjudged guilty of violating the laws governing the sale of any alcoholic beverages or for the prevention of gambling in the State of Maryland or adjudged guilty of any offense against the laws of the United States?
 Yes () No () If yes, please detail.

3. State whether you have had a license for the sale of alcoholic beverages denied or revoked.
 Yes () No () If yes, please detail.

4. Have you ever held a license for the sale of alcoholic beverages and if so in what State and what location?
Coins Pub and Restaurant
2820 Philadelphia Ave
Clear City, MD 21842

5. Are you financially interested in any other place of business that has an alcoholic beverage license in the State of Maryland?

Yes () No () If yes, please detail. See above 44

6. As a member, how much time will you spend on the licensed premises?
80%

7. What profit will you derive in proportion to the percentage of ownership?
50%

8. As a member, have you read the Rules and Regulation of the Board?
yes

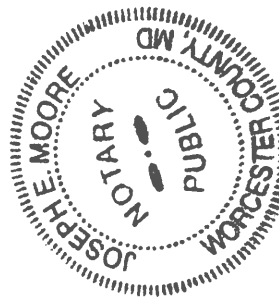
9. If you are a qualified Resident Agent, are you a resident of Worcester County, Maryland?
 Yes (X) No ()

PROVIDE COPY(ies) OF ANY AND ALL AGREEMENTS / CONTRACTS relative to the operation of the business to be conducted under the alcoholic beverage license. (Inclusive of managerial agreements and/or sales contracts.)

[Signature]
 Signature of Member

I HEREBY CERTIFY THAT BEFORE ME, Notary Public in and for the State of Maryland, County of Worcester, personally appeared MARC CUSTODIO on this 14 day of September, 2024, and made oath in due form of law that the matters and facts in the foregoing Affidavit are true and that they would in fact comply with all statements made therein.

WITNESS my hand and official Seal this 14 day of September, 2024



[Signature]
 Notary Public
 My Commission Expires: 1-19-26

LIMITED LIABILITY MEMBERSHIP AFFIDAVIT

Name Sherrie E. Custodio 10215 Golf Course Rd Ocean City MD 21842

Residence Zip Code

8 yrs 4109719240

Period of Residence Home Telephone No. Office Telephone No.

Female Annapolis, MD

Sex Place of Birth Social Security No.

N/A

Naturalized YES () NO () Where Naturalized

Self employed - owner / Broker at Pon Valley Real Estate Co

Place of Employment

12720 Ocean Gateway #3, Ocean City MD 21842 4 yrs

Address of Employer Length of Employment

1a. What is your ownership interest in the L.L.C.? 50%

Percent of Ownership

1b. What is your capital contribution to the L.L.C.? \$100

Percent of Ownership

2. Have you ever been convicted of a felony, or have you been adjudged guilty of violating the laws governing the sale of any alcoholic beverages or for the prevention of gambling in the State of Maryland or adjudged guilty of any offense against the laws of the United States?

Yes () No (x) If yes, please detail.

3. State whether you have had a license for the sale of alcoholic beverages denied or revoked.

Yes () No (x) If yes, please detail.

4. Have you ever held a license for the sale of alcoholic beverages and if so in what State and what location?

Coins Pub and Restaurant, 2820 Philadelphia Ave, Ocean City, MD 21842

5. Are you financially interested in any other place of business that has an alcoholic beverage license in the State of Maryland?

Yes (x) No () If yes, please detail. See above #4

6. As a member, how much time will you spend on the licensed premises?

40%

7. What profit will you derive in proportion to the percentage of ownership?

50%

8. As a member, have you read the Rules and Regulations of the Board?

yes

9. If you are the qualified Resident Agent, do you meet all of the following requirements?

Yes () No () N/A

A. You have resided in Worcester County for two years.
B. You own property in Worcester County.
C. You are a registered voter in Worcester County.

PROVIDE COPY(ies) OF ANY AND ALL AGREEMENTS / CONTRACTS relative to the operation of the business to be conducted under the alcoholic beverage license. (Inclusive of managerial agreements and/or sales contracts.)

Sherrie E. Custodio
Signature of Member

I HEREBY CERTIFY THAT BEFORE ME, a Notary Public in and for the State of Maryland, County of Worcester, personally appeared Sherrie E. Custodio In said County and State of Maryland, on this day of September, 2024, and made oath in due form of law that the contents and facts in the foregoing Affidavit are true and that they would in fact comply with all statements made in said Affidavit.

[Signature]
Notary Public
My Commission Expires: 1-19-26



I/We hereby authorize the Comptroller, his duly authorized deputies, inspectors and clerks, the Board of License Commissioners of Worcester County, its duly authorized agents and employees, any peace officer of Worcester County, to inspect without warrant, the premises upon which said business is to be conducted, and any and all parts of the building in which said business is to be conducted, at any and all hours, **and further state that I/We have personally obtained the signatures of the ten citizens to the certificate which is a part hereof.**

(Extract from the law: If any affidavit or oath required under the provisions of this Act shall contain any false statements, the offender shall be deemed guilty of perjury, and upon indictment and conviction thereof shall be subject to the penalties provided by the law for that crime.)

Give name(s) and address(es) of officers:

Marc Anthony Custodio Managing Member 10215 Golf Course Rd, Ocean City, MD 21874
(name) (title) (residence)

Sherri Elizabeth Custodio Member 10215 Golf Course Rd, Ocean City, MD 21874
(name) (title) (residence)

(name) (title) (residence)

If applicant is a Corporation, President or Vice-President must sign:

All Applicants must sign:

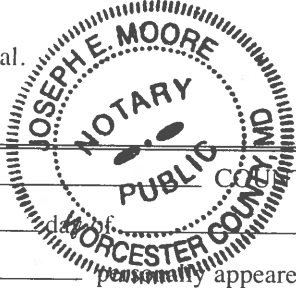
1. [Signature]
(Signature of applicant)
2. Sherri Elizabeth Custodio
(Signature of applicant)
3. _____
(Signature of applicant)

STATE OF MARYLAND COUNTY OF Worcester TO WIT:
THIS CERTIFIES, That on the 11th day of September, 2024, before the subscriber, a Notary Public of the State of Maryland personally appeared Marc and Sherri Custodio

the applicant(s) named in the foregoing application, and made oath in due form of law that the statements therein are true to the best of his/their knowledge and belief.

WITNESS my hand and notarial seal.

(Seal)



[Signature]
NOTARY PUBLIC

STATE OF _____ COUNTY OF _____ TO WIT:
THIS CERTIFIES, That on the _____ day of _____, 20____, before the subscriber, a Notary Public of the State of _____ personally appeared _____

the applicant(s) named in the foregoing application, and made oath in due form of law that the statements therein are true to the best of his/their knowledge and belief.

WITNESS my hand and notarial seal.

(Seal)

NOTARY PUBLIC

STATE OF _____ COUNTY OF _____ TO WIT:
THIS CERTIFIES, That on the _____ day of _____, 20____, before the subscriber, a Notary Public of the State of _____ personally appeared _____

the applicant(s) named in the foregoing application, and made oath in due form of law that the statements therein are true to the best of his/their knowledge and belief.

WITNESS my hand and notarial seal.

(Seal)

NOTARY PUBLIC

STATEMENT OF OWNER OF PREMISES REQUIRED IN CONNECTION WITH
ALCOHOLIC BEVERAGES LAW OF MARYLAND

I/WE HEREBY CERTIFY, That I am/we the owner(s) of record of the property known as Plaza Condominium
9800 Coastal Hwy, Ocean City, MD 21842

named in the foregoing application made to the Board of License Commissioners under the Alcoholic Beverage Laws of Maryland; that I/we assent to the granting of the license applied for; that I/we hereby authorize the State Comptroller, his duly authorized deputies, inspectors and clerks, the Board of License Commissioners for Worcester County, its duly authorized agents and employees, and any peace officer of such county to inspect and search, without warrant, the premises upon which the business is to be conducted, and any and all parts of the building in which said business is to be conducted, at any and all hours.

WITNESS, our/my hand(s) and seal(s) this 11th day of September 20 24

(seal)

(seal)

(seal)

(seal)

STATE OF Maryland COUNTY OF Worcester TO WIT:

THIS CERTIFIES, That on the 11th day of September, 20 24, before the subscriber, a Notary Public of the State of Maryland personally appeared Steve Kenny

and acknowledged the execution of the foregoing statement to be _____ act.

WITNESS my hand and notarial seal

(Seal)

KRISTIN M COANE
Notary Public-Maryland
Worcester County
My Commission Expires
June 10, 2025

NOTARY PUBLIC

(The following certificates must be signed by at least ten persons.)

SIGNATURES MUST BE OBTAINED BY THE RESIDENT, IF APPLICATION IS FOR CORPORATION.

We the undersigned reputable citizens (real estate owners, registered voters with Worcester County and reside within the tax district in which the business covered by the foregoing application is to be conducted) certify that each of us has been personally acquainted with the applicant for the length of time indicated after our respective names; that we have examined the application of the applicant and that we have good reason to believe that all of the statements contained in said application are true, and that we are familiar with the premises upon which the proposed business is to be conducted and we believe such premises are suitable for the conduct of the business of retail dealer in alcoholic beverages, and that we are of the opinion that the applicant is a suitable person to obtain the license applied for:

(Print name above signature)

Address
Voting Residence

Length of time acquainted with applicant(s). If not acquainted prior to application filing, indicate "Just Met." (All three blanks must be filled in.)

Name

Name	Address	Voting Residence	Length of time acquainted with applicant(s)
Collin Macomber	Worcester County 10	App. 1 10 App. 2 8 App. 3	
	10242 Golf Course Rd, Ocean City, MD 21842		
Bryan Dine	Worcester County	App. 1 10 App. 2 10 App. 3	
	10128 Blue Martin Dr. Ocean City, MD 21842		
Keely Jones	Worcester County	App. 1 10 App. 2 10 App. 3	
	10122 Blue Martin Dr. Ocean City, MD 21842		
Michelle Pascoe	Worcester County	App. 1 5 App. 2 5 App. 3	
	10040 Keyser Point Rd 21842		
LEWIS HUBBARD	Worcester County	App. 1 10 App. 2 10 App. 3	
	2901 ATLANTIC AVE UNIT 50, O.C. MD 21842		
PAULEHE BERNARD	Worcester County	App. 1 30 App. 2 4 App. 3	
	4201 COASTAL HIGHWAY #501 O.C. MD 21842		
PAULEHE BERNARD	Worcester County	App. 1 25 App. 2 4 App. 3	
	208 N. HERNDON #2 O.C. MD 21842		
JAMES W DONAHUE	Worcester County	App. 1 20 App. 2 7 App. 3	
	12917 Riggis Ridge Road Ocean City, MD 21842		
Richard J. J.	Worcester County	App. 1 10 App. 2 8 App. 3	
	12504 WHISPER TRAIL DR, O.C. MD 21842		
S. Thasak	Worcester County	App. 1 10 App. 2 10 App. 3	
	305 B. South Bay Dr. O.C. MD 21842		
Kari L Story	Worcester County	App. 1 10 App. 2 11 App. 3	
	13000 Marina View Ln, 23, Ocean City, MD 21842		
Debi Jordan	Worcester County	App. 1 23 App. 2 7 App. 3	
	711 94th St unit 14 O.C. MD 21842		

Names and addresses of signers must be printed or typewritten above signatures.

**BOARD OF LICENSE COMMISSIONERS
FOR WORCESTER COUNTY**

REPORT OF INVESTIGATION

Type: *Transfer Application and Designate as Multiple License #3*

09-24-2024

License No: 908

Class: B

Type: Beer-Wine-Liquor

APPLICANT(S):

- | | |
|---------------------------|------------------|
| 1. Meghan Leigh Newberger | 2. Heather Welch |
| 3. Jason Welch | 4. |

TRADE NAME: *Oaked at the Globe*

CORP: *Oaked at the Globe, LLC*

LOCATION: 12 Broad Street, Berlin

RESTRICTIONS: Live entertainment allowed inside amplified five days per week with a maximum of four pieces 11 A.M. until 2 A.M., karaoke allowed inside one night per week, background music allowed outside, **no outside live entertainment, outside fully enclosed area must close by 10 P.M.**, outside bar permitted with a maximum of 16 bar seats and 47 seats at tables allowed in outside area, two games allowed, no disc jockey inside allowed, no disc jockey or music technician allowed outside, no pool tables allowed, no off sale

Ms. Newberger holds 49% of the LLC, is the Resident Agent, and obtained the signatures on the application. Ms. Welch holds 1% of the LLC, and Mr. Welch holds 50% of the LLC. If this transfer application is approved, the applicants also request it be designated as Multiple License #3. Multiple License #1 is "Oaked 110", License #727, which has been open since November 2020 with no violations. Multiple License #2 is "Bour Agave Bourbon and Tequila Joint", License #962, which has been open since April 2024 with no violations.

Mr. Welch will manage the property, which will be a restaurant and bar. There will be about 1,800 SF of inside space, including the kitchen, on the first floor, with 45 seats at tables and a bar that seats 20. The second floor will contain 80 seats at tables and a 10 seat bar in 1,200 SF of space. Outside on the first floor is a fenced in bar area that contains a fully enclosed area of about 600 SF with a 16 seat bar. There will be an additional 800 SF of space, enclosed on the sides with no roof that, along with the bar area, will have a total of 47 seats at tables. The only way to enter this area is from inside; there is no outside entrance, only a fire exit. Mr. Welch requests most of the current restrictions (See Above) be retained. Mr. Welch would like to change the current "**no outside live entertainment**" restriction to allow outside entertainment, up to two (2) pieces, non-amplified, four (4) days per week from 11:00 AM – 10:00 PM. There would not be inside and outside entertainment at the same time. In addition, Mr. Welch would like the current restriction that states "**outside fully enclosed area must close by 10 P.M.**" to allow this area to remain open until 11 P.M. Finally, Mr. Welch requests a music technician four (4) days per week, inside only, from 11:00 AM – 2:00 AM. This would not change the current restriction which prohibits an inside disc jockey. Again, only one form of entertainment would take place at any one time.

Hours of operation will be 11:00 AM – 11:00 PM seven (7) days per week, year round. The inside could remain open until 2:00 AM, when business permits, but the outside area would always close by 11:00 PM. There will be about 25-30 employees. All servers and bartenders would be TAM/TIPs trained, as are all three (3) applicants.

Harold F. Cook
Board Investigator

April R. Payne
Liquor License Administrator

[illegible]

Business Phone No.

WORCESTER COUNTY STATE OF MARYLAND

ALCOHOLIC BEVERAGES LAW

APPLICATION FOR A CLASS "B" B/W/L 7 day LICENSE"TRANSFER APPLICATION"

For the use of:

(Check one)

An Individual ☒Partnership ☐Corporation ☐Unincorporated Association ☐Limited Liability Co. ☒

To the Board of License Commissioners Worcester County.

Date September 10, 2014

Application is made by the undersigned under the provisions of Article 2B of the Annotated Code of Maryland, as amended, title "Alcoholic Beverages," for the above license, and the applicant(s) submit(s) and certify(ies) to the following information required by the Article.

Fill in all the blanks:

Applications will NOT be accepted without all Applicant information, including middle name.

1. Applicant(s)

(1) Full Name

Meghan Leigh Newberger

Residence

475 Dueling WayBERLIN MD 21811

Date of Birth

Period of Residence

13

Period of Residence

13

Place of Birth

Midtown New Jersey

Naturalized at

N/A

Year

Telephone Number

443-397-4425

Race

White

Sex

F

(2) Full Name

Heather Welch

Residence

6834 Shockley Rd. Snow Hill MD 21863

Date of Birth

Period of Residence

19 yrs

Period of Residence

19 yrs

Place of Birth

Salisbury MD

Naturalized at

N/A

Year

NA

Telephone Number

443 523 7509

Race

White

Sex

F

(3) Full Name

DAVID WELCH

Residence

6834 SHOCKLEY RD SNOW HILL MD 21863

Date of Birth

Period of Residence

20

Period of Residence

20

Place of Birth

Washington DC

Naturalized at

N/A

Year

Telephone Number

443 523 7523

Race

White

Sex

M

2. The applicant(s) is/are citizen(s) of the United States, and (if the application is for an individual or a partnership), has/have been for two years next preceding the filing of this application (a) resident(s) of Worcester County. The applicant(s) (if applying as a qualifying individual for a corporation) is a registered voter and taxpayer in Worcester County and shall also have resided there for at least two years prior to the filing of this application. The applicant(s) thus qualified is/are: 1(☒) 2(☐) 3(☐) (Check number to correspond with name(s) listed above.)

* 3. State the Retail Sales Tax No.: —

4. If a corporation, state corporate name and trade name, if any:

Oaked at the Globe, LLC

If other than a corporation, state trade name to be used:

Oaked at the Globe

5. Address of place to be licensed (Give street number or accurate description):

12 Broad Street, Berlin MD 21811Oaked 110 License #127 ML1, Bour Agave Bourbon & Tequila Joint - License #962 ML2A. Nearest intersecting street: Main Street Approximate distance: 50 feetB. Tax District where located: 3rd Is this an application for a new license? NoC. Is this a transfer from a present licensee? Yes From Whom? Braddah Barney's LLC toOaked at the Globe LLC LICENSE # 908

(This Board must be furnished releases by the State Comptroller's Office approving the bulk sales transfer and clearing all tax accounts before any license will be transferred.)

D. Are you represented by an attorney? Whom: Joseph E. Moore Tel. No.: 410-889-3553

Address: _____

E. Describe premises to be licensed: Full service restaurant with 160 seats

F. If this is a new or proposed building or a building not previously licensed, a copy of the bona fide plans must be filed with this application or presented at the time of the hearing.

6. State name and address of owner of record of premises: 12 Broad Street, Berlin, MD 21811

7. Have you ever been:

A. Convicted of a misdemeanor? 1 No 2 No 3 No

B. Adjudged guilty of violating alcoholic beverage laws by a court, administrative agency or Board of License Commissioners? 1 No 2 No 3 No

C. Adjudged guilty of violating gambling laws? 1 No 2 No 3 No

D. Adjudged guilty of any offense against the laws of the United States? 1 No 2 No 3 No

If so, when and where: _____

E. Convicted of a felony or offered a plea of nolo contendere to a felony indictment and charge was subsequently accepted by a court? 1 No 2 No 3 No

8. A. Have you ever held a license for the sale of alcoholic beverages? 1 Yes 2 Yes 3 Yes

If yes, state when and where: 2 South Hill 3 Spw Hill All 3 at Berlin (Boma)

B. If so, has such license been suspended or revoked? 1 No 2 No 3 No

If answer is yes, give full details: _____

C. If so, were you ever found in violation of any alcoholic beverage law? 1 Yes 2 _____ 3 _____

9. Have you ever applied for an alcoholic beverage license in the State of Maryland? 1 Yes 2 Yes 3 Yes

If answer is yes, state when and where: see above

10. What financial interests do you have in the business to be conducted under this license? 1 49% 2 1% 3 50%

11. Are you financially interested in any other alcoholic beverage business for which a license has been applied for, granted or issued? 1 Yes 2 Yes 3 Yes

If so, give details: see answer 8 above

12. Is your wife or husband, as the case may be, a licensee and does her or she have any financial interest in any other alcoholic beverage business in the State of Maryland? 1 No 2 No on this license 3 No - on this license

If so, give details: _____

13. Is there now, or will there be, during the continuance of the license applied for, any other person financially interested in said license or the business to be conducted thereunder? 1 No 2 No 3 No

If so, state name, address, telephone no., age, percent of interest and state whether or not an interest is held in any other alcoholic beverage license: _____

14. A. Does any manufacturer, brewer, distiller or wholesaler have any financial interest in the premises or business to be conducted under this license? No

B. Will any such interest be hereafter conveyed or granted to any such manufacturer, brewer, distiller or wholesaler? No

15. Do you now have, or will you hereafter have, any indebtedness or other financial indebtedness, directly or indirectly, to any manufacturer, brewer, distiller or wholesaler, other than for purchase of alcoholic beverage? No

16. A. If granted a license, will you conform to all laws and regulations relating to the business in which you propose to engage? Yes

B. If granted a license, will you agree to keep current all state and local tax obligations including, but not limited to, state sales and use tax, withholding tax and admissions tax? Yes

I/We consent to the Board of License Commissioners being furnished with a copy of my/our arrest record, if any, by any state, local, or federal law enforcement or judicial agency. App. #1 Yes App. #2 Yes App. #3 Yes

LIMITED LIABILITY MEMBERSHIP AFFIDAVIT

Name Neghan Newberg Residence 475 Duellingway Zip Code 21811

Period of Residence 13 years Home Telephone No. _____ Office Telephone No. _____

Date of Birth _____ Sex F Place of Birth Maristown New Jersey Social Security No. _____

Naturalized Yes () No () Where Naturalized _____
Liquid Assets
 Place of Employment _____
94th Street Ocean City Length of Employment 12 years
 Address of Employer _____

1a. What is your ownership interest in the L.L.C.? 49% Percent of Ownership

1b. What is your capital contribution to the L.L.C.? 6,250

2. Have you ever been convicted of a felony, or have you been adjudged guilty of violating the laws governing the sale of any alcoholic beverages or for the prevention of gambling in the State of Maryland or adjudged guilty of any offense against the laws of the United States?

Yes () No ☒ If yes, please detail. _____

3. State whether you have had a license for the sale of alcoholic beverages denied or revoked.

Yes () No ☒ If yes, please detail. _____

4. Have you ever held a license for the sale of alcoholic beverages and if so in what State and what location?

Berlin, Maryland Baur Agave

5. Are you financially interested in any other place of business that has an alcoholic beverage license in the State of Maryland?

Yes ☒ No () If yes, please detail. Baur Agave LLC

6. As a member, how much time will you spend on the licensed premises?

30 hours weekly

7. What profit will you derive in proportion to the percentage of ownership?

49%

8. As a member, have you read the Rules and Regulation of the Board?

yes

9. If you are a qualified Resident Agent, are you a resident of Worcester County, Maryland?

Yes ☒ No ()

PROVIDE COPY(ies) OF ANY AND ALL AGREEMENTS / CONTRACTS relative to the operation of the business to be conducted under the alcoholic beverage license. (Inclusive of managerial agreements and/or sales contracts.)

Neghan Newberg
 Signature of Member

I HEREBY CERTIFY THAT BEFORE ME, a Notary Public in and for the State of Maryland, County of Worcester, personally appeared Neghan Newberg on this 10th day of September, 2024, and made oath in due form of law that the matters and facts in the foregoing Affidavit are true and that they would in fact comply with all statements made therein.

WITNESS my hand and official Seal this 10th day of September, 2024



[Signature]
 Notary Public

My Commission Expires: 1-19-26

LIMITED LIABILITY MEMBERSHIP AFFIDAVIT

Name Heather Welch 6834 Shockey Rd. Snow Hill MD 21863 Zip Code 21863

Period of Residence 19 yrs. Home Telephone No. 413-523-7569 Office Telephone No. 413-661-6133

Date of Birth N/A Sex F Place of Birth Salisbury Social Security No.

Naturalized Yes () No () Where Naturalized Petition No.
Place of Employment Self Employed

Address of Employer Length of Employment
1a. What is your ownership interest in the L.L.C.? 1% Percent of Ownership

1b. What is your capital contribution to the L.L.C.?

2. Have you ever been convicted of a felony, or have you been adjudged guilty of violating the laws governing the sale of any alcoholic beverages or for the prevention of gambling in the State of Maryland or adjudged guilty of any offense against the laws of the United States?

Yes () No () If yes, please detail.

3. State whether you have had a license for the sale of alcoholic beverages denied or revoked.

Yes () No () If yes, please detail.

4. Have you ever held a license for the sale of alcoholic beverages and if so in what State and what location?

Yes, Maryland
Oaked 110 Whiskey & Wine Bar (Snow Hill)
Bour-Agave Bourbon & Tequila Bar (Berlin)

5. Are you financially interested in any other place of business that has an alcoholic beverage license in the State of Maryland?

Yes () No () If yes, please detail. Oaked 110 Whiskey & Wine Bar
Bour-Agave Bourbon & Tequila Joint

6. As a member, how much time will you spend on the licensed premises?

25 hours

7. What profit will you derive in proportion to the percentage of ownership?

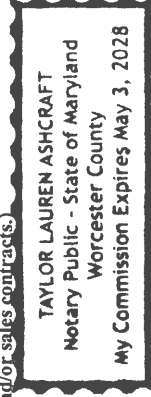
8. As a member, have you read the Rules and Regulation of the Board?

Yes

9. If you are a qualified Resident Agent, are you a resident of Worcester County, Maryland?

Yes () No ()

PROVIDE COPY(ies) OF ANY AND ALL AGREEMENTS / CONTRACTS relative to the operation of the business to be conducted under the alcoholic beverage license. (Inclusive of managerial agreements and/or sales contracts.)



Taylor Lauren Ashcraft
Signature of Member

I HEREBY CERTIFY THAT BEFORE ME, a Notary Public in and for the State of Maryland, County of Worcester, personally appeared Heather Welch In said County and State on this 12 day of September, 2024, and made oath in due form of law that the matters and facts in the foregoing Affidavit are true and that they would in fact comply with all statements made therein.

WITNESS my hand and official Seal this 12 day of September, 2024

Taylor Lauren Ashcraft
Notary Public

My Commission Expires: 15/13/2028

LIMITED LIABILITY MEMBERSHIP AFFIDAVIT

6334 Stockpiling RD
Snow Hill MD

DANIEL W. ELLIOT Worcester County 21863

Name 20 YEARS Residence 443 523 7563 Zip Code 11
Period of Residence Home Telephone No. Office Telephone No.

Date of Birth m Sex w Place of Birth Washington DC Social Security No.

Naturalized Yes () No () Where Naturalized OKED 110 Petition No.
Place of Employment

Address of Employer Length of Employment

1a. What is your ownership interest in the L.L.C.? 50%

1b. What is your capital contribution to the L.L.C.? \$ 12,450

2. Have you ever been convicted of a felony, or have you been adjudged guilty of violating the laws governing the sale of any alcoholic beverages or for the prevention of gambling in the State of Maryland or adjudged guilty of any offense against the laws of the United States?

Yes () No () If yes, please detail.

3. State whether you have had a license for the sale of alcoholic beverages denied or revoked.

Yes () No () If yes, please detail.

4. Have you ever held a license for the sale of alcoholic beverages and if so in what State and what location?

MD

5. Are you financially interested in any other place of business that has an alcoholic beverage license in the State of Maryland?

Yes (X) No () If yes, please detail.

OKED 110

Bourgeois

Tail Tales Taphouse

6. As a member, how much time will you spend on the licensed premises?

16 TO 32 hours

7. What profit will you derive in proportion to the percentage of ownership?

8. As a member, have you read the Rules and Regulation of the Board?

YES

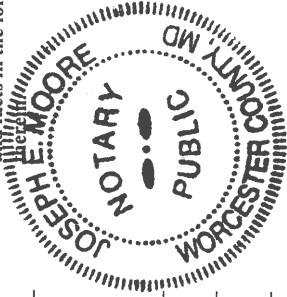
9. If you are a qualified Resident Agent, are you a resident of Worcester County, Maryland?

Yes () No ()

PROVIDE COPY(ies) OF ANY AND ALL AGREEMENTS / CONTRACTS relative to the operation of the business to be conducted under the alcoholic beverage license. (Inclusive of managerial agreements and/or sales contracts.)

[Signature]
Signature of Member

I HEREBY CERTIFY THAT BEFORE ME, a Notary Public in and for the State of Maryland, County of Worcester personally appeared DANIEL W. ELLIOT on this 10th day of September, 2024 and made oath in due form of law that the matters and facts in the foregoing Affidavit are true and that they would in fact comply with all statements made hereon.



WITNESS my hand and official Seal this 10th day of September, 2024

[Signature]
Notary Public

My Commission Expires: 1-19-26

TRANSFER OF LOCATION OR ASSIGNMENT OF LICENSE

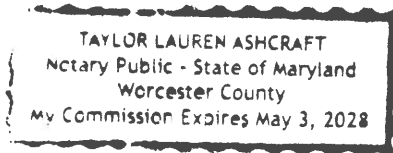
The purpose of this application is to:

(a) transfer LOCATION from _____
To _____

(b) transfer or ASSIGN from John Leme T/A Bardahan Brandy LLC
To Megan Newberry, Matthew Welsh and Jason Welsh T/A Oakleaf at the Globe, LLC

I/We, the Transferors, do hereby make oath in due form of law that I/we have fully complied with all provisions of law and all regulations during the time that my/our license for the above-named premises has been in effect and that no indictment or complaint is pending against me/us or any of my/our employees in any court of this State or before the Board of License Commissioners, and that I/we do hereby consent to the transfer (or cancellation) of said license to be the above-named Transferee.

AS WITNESS my/our hand(s) and seal(s) this 10 day of September, 2024.



✓ John Leme (SEAL)
Jason X OAK (SEAL)

STATE OF Maryland, COUNTY OF Worcester
I hereby certify that on this 10 day of September, 2024, personally appeared John Leme and made oath in due form of law that the above statement is his/her act/deed.

AS WITNESS MY HAND AND OFFICIAL SEAL.

✓ Taylor X Ashcraft
Notary Public
My Commission expires: 05/03/2028

STATE OF _____, COUNTY OF _____
I hereby certify that on this _____ day of _____, 20____, personally appeared _____ and made oath in due form of law that the above statement is his/her act/deed.

AS WITNESS MY HAND AND OFFICIAL SEAL.

Notary Public
My Commission expires: _____

STATE OF _____, COUNTY OF _____
I hereby certify that on this _____ day of _____, 20____, personally appeared _____ and made oath in due form of law that the above statement is his/her act/deed.

AS WITNESS MY HAND AND OFFICIAL SEAL.

Notary Public
My Commission expires: _____

GAY STREET ↑

GLOBE. OUTDOOR BAR

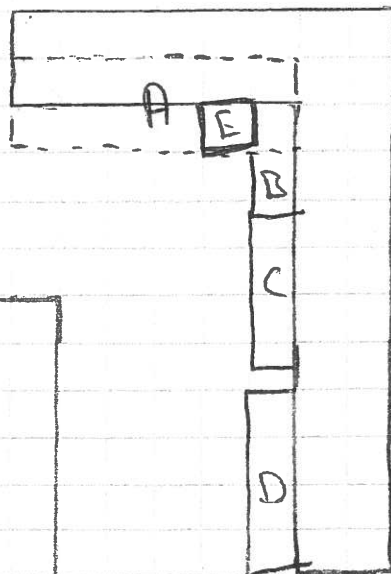
□ = 1 Foot

- A = 3-COMPARTMENT SINK
- B = HANDSINK
- C = ICE BIN
- D = TRUE BACK BAR REFRIGERATOR
- E = DRAIN

THE GLOBE



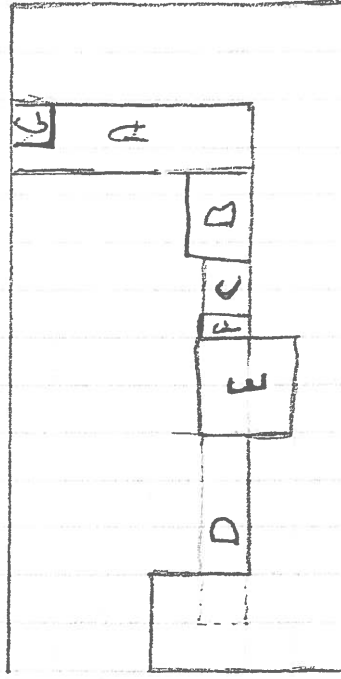
WALK-
IN



GLOBE, UPSTAIRS BAR

- A = 3-COMPARTMENT SINK
- B = ECOLOG OMEGA-SE
- C = HANDSINK
- D = TRUL BACKBAR REFRIGERATOR
- E = ICE BIN
- F = PAPER TOWEL / SOAP DISPENSERS
- G = FLOOR DRAIN

BACK WALL

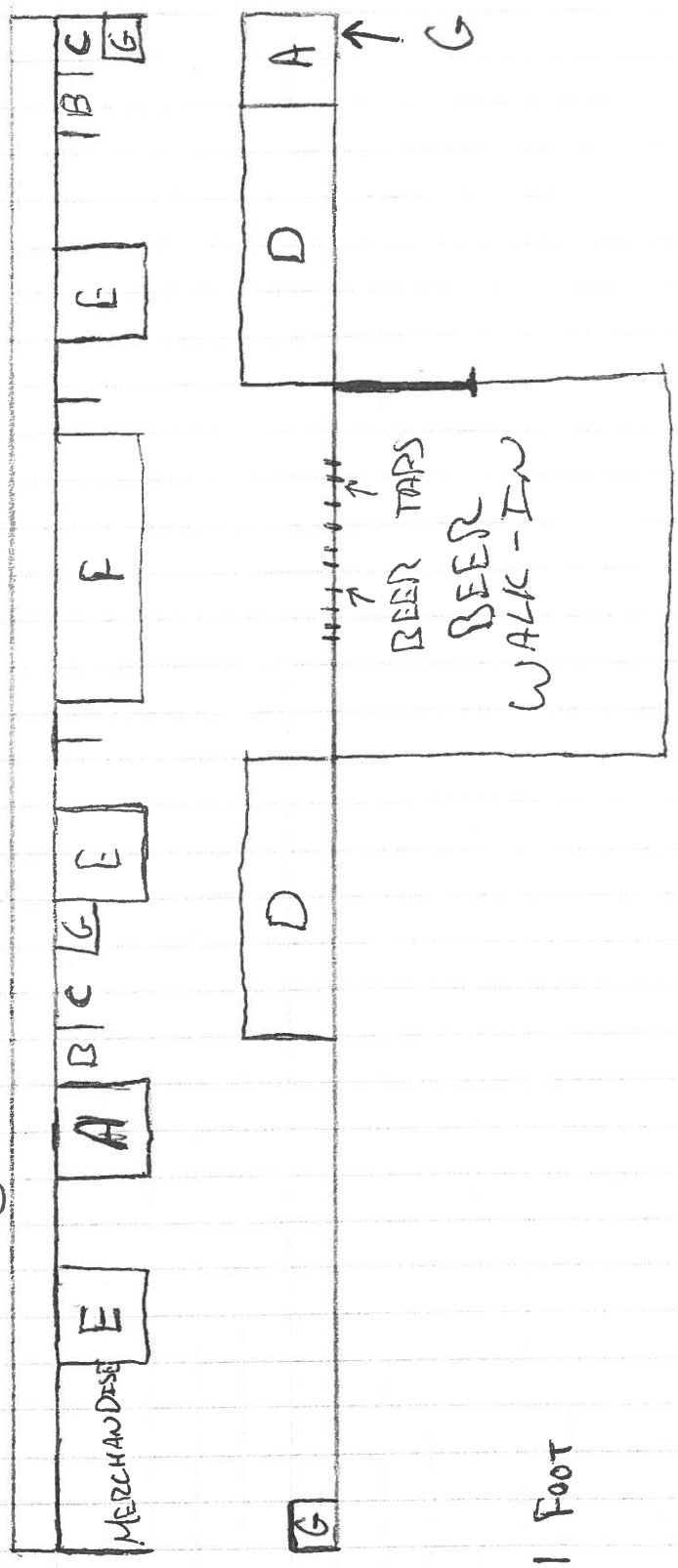


□ = 1 Foot

GLOBE, MAIN BAR

- A = ECOLAB OMEGA-Se
- B = HAND SINK
- C = PAPER TOWEL/ SOAP DISPENSERS
- D = ICON BACK BAR REFRIGERATORS
- E = ICE BINS
- F = PREP TABLE
- G = FLOOR DRAINS

BAR COUNTER



□ = 1 Foot

I/We hereby authorize the Comptroller, his duly authorized deputies, inspectors and clerks, the Board of License Commissioners of Worcester County, its duly authorized agents and employees, any peace officer of Worcester County, to inspect without warrant, the premises upon which said business is to be conducted, and any and all parts of the building in which said business is to be conducted, at any and all hours, and further state that I/We have personally obtained the signatures of the ten citizens to the certificate which is a part hereof.

(Extract from the law: If any affidavit or oath required under the provisions of this Act shall contain any false statements, the offender shall be deemed guilty of perjury, and upon indictment and conviction thereof shall be subject to the penalties provided by the law for that crime.)

Give name(s) and address(es) of officers:

Meghan Newberger partner 475 Dueling Way Berlin MD 20811
(name) (title) (residence)
Heather Welch partner 6834 Shockey Rd Snow Hill MD 20803
(name) (title) (residence)
Jason Welch Managing member 6834 Shockey Rd Snow Hill MD 20803
(name) (title) (residence)

If applicant is a Corporation, President or Vice-President must sign:

All Applicants must sign:

1. [Signature] (Signature of applicant)
2. [Signature] (Signature of applicant)
3. [Signature] (Signature of applicant)

(Signature of Pres. or Vice-Pres.)

STATE OF MARYLAND COUNTY OF WORCESTER TO WIT:

THIS CERTIFIES, That on the 10th day of September, 2024, before the subscriber, a Notary Public of the State of MARYLAND personally appeared Megan Newberger and Jason Welch

the applicant(s) named in the foregoing application, and made oath in due form of law that the statements therein are true to the best of his/their knowledge and belief.

WITNESS my hand and notarial seal.

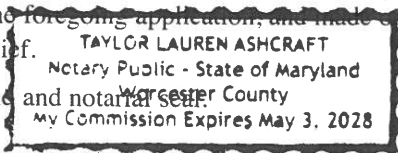
(Seal)

STATE OF MARYLAND COUNTY OF WORCESTER TO WIT:

THIS CERTIFIES, That on the 14th day of September, 2024, before the subscriber, a Notary Public of the State of Maryland personally appeared Heather Welch

the applicant(s) named in the foregoing application, and made oath in due form of law that the statements therein are true to the best of his/their knowledge and belief.

WITNESS my hand and notarial seal.



[Signature] NOTARY PUBLIC

(Seal)

STATE OF _____ COUNTY OF _____ TO WIT:

THIS CERTIFIES, That on the _____ day of _____, 20____, before the subscriber, a Notary Public of the State of _____ personally appeared _____

the applicant(s) named in the foregoing application, and made oath in due form of law that the statements therein are true to the best of his/their knowledge and belief.

WITNESS my hand and notarial seal.

(Seal)

NOTARY PUBLIC

STATEMENT OF OWNER OF PREMISES REQUIRED IN CONNECTION WITH
ALCOHOLIC BEVERAGES LAW OF MARYLAND

I/WE HEREBY CERTIFY, That I am/we the owner(s) of record of the property known as

DAILED THE GLOBE

named in the foregoing application made to the Board of License Commissioners under the Alcoholic Beverage Laws of Maryland; that I/we assent to the granting of the license applied for; that I/we hereby authorize the State Comptroller, his duly authorized deputies, inspectors and clerks, the Board of License Commissioners for Worcester County, its duly authorized agents and employees, and any peace officer of such county to inspect and search, without warrant, the premises upon which the business is to be conducted, and any and all parts of the building in which said business is to be conducted, at any and all hours.

WITNESS my hand and seal(s) this 13 day of September 2024

(seal) (seal) (seal)

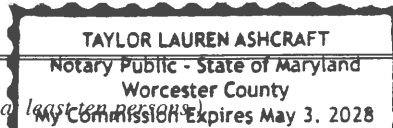
STATE OF Maryland COUNTY OF Worcester TO WIT:

THIS CERTIFIES, That on the 13 day of September 2024, before the subscriber, a Notary Public of the State of Maryland personally appeared BRIAN BRUSHMILLER

and acknowledged the execution of the foregoing statement to be correct. act.

WITNESS my hand and notarial seal.

(Seal)



(The following certificates must be signed by a

SIGNATURES MUST BE OBTAINED BY THE RESIDENT, IF APPLICATION IS FOR CORPORATION.

We the undersigned reputable citizens (real estate owners, registered voters with Worcester County and reside within the tax district in which the business covered by the foregoing application is to be conducted) certify that each of us has been personally acquainted with the applicant for the length of time indicated after our respective names; that we have examined the application of the applicant and that we have good reason to believe that all of the statements contained in said application are true, and that we are familiar with the premises upon which the proposed business is to be conducted and we believe such premises are suitable for the conduct of the business of retail dealer in alcoholic beverages, and that we are of the opinion that the applicant is a suitable person to obtain the license applied for:

(Print name above signature)

Address

Voting Residence

Length of time acquainted with applicant(s). If not acquainted prior to application filing, indicate "Just Met." (All three blanks must be filled in.)

Name	Address	Voting Residence	Length of time acquainted with applicant(s)
Joseph E. Moore	3rd	319 South Main St. Berlin MD 21811	App. 1 App. 2 App. 3
Chad Newberger	3rd	475 Duelling Way Berlin MD 21811	App. 1 App. 2 App. 3
Nataly Belam/Brett	3rd	449 Duelling Way Berlin MD 21811	App. 1 App. 2 App. 3
Kevin Poole	3rd	499 Duelling Way Berlin MD 21811	App. 1 App. 2 App. 3
Mike Dyer	3rd	222 Balm Coast Berlin MD 21811	App. 1 App. 2 App. 3
Joshua Kotis	3rd	217 Barbary Coast Berlin MD 21811	App. 1 App. 2 App. 3
Megan Cosman	3rd	14 Cranby Lane Berlin MD 21811	App. 1 App. 2 App. 3
Sheafur vanmea	3	21 Decatur St Berlin 21811	App. 1 App. 2 App. 3
John Garton	3	321 Buttercup Ct. Berlin MD 21811	App. 1 App. 2 App. 3
Irquis Barcas	3	319 N. Main St Berlin MD 21811	App. 1 App. 2 App. 3
Taylor Ashcraft	3	101 Burley St. Berlin MD 21811	App. 1 App. 2 App. 3
	3	100 Esham Avenue Berlin, MD 21811	App. 1 App. 2 App. 3

Names and addresses of signers must be printed or typewritten above signatures.

REPORT OF INVESTIGATION

09-24-2024

Type: Beer-Wine-Liquor

2. Eric J. Fiori
4.

CORP: Forgotten Fifty, LLC

RESTRICTIONS: Live entertainment allowed inside amplified with a maximum of three pieces seven days per week, live entertainment allowed on outside patio amplified with a maximum of two pieces four days per week from 5 P.M. to 9 P.M., inside and outside entertainment cannot take place at the same time, off sale of their distilled liquor allowed under the Class 9 license, no off sale except what is allowed with the Class 9 license, no disc jockey allowed, **no games allowed**

The alcoholic beverage license for this property was issued in July 2023. There have been no violations. "Forgotten Fifty" consists of 5,000 SF of inside space, of which 1,500 SF is the distillery and the other 3,500 SF is for customer seating, the kitchen and bathrooms. There are 46 seats at inside tables, eight (8) seats at the inside tasting bar, and 23 seats at an octagon shaped inside bar. Outside, on the south side of the building, are eight (8) seats at tables in a 400 SF area enclosed by a glass barrier. In another 650 SF glass barrier enclosed area on the east side of the building are another 42 seats at tables. There are no outside bars.

The licensees request permission to expand the licensed premises to include a 1.25 acre (54,450 SF), irregular shaped outdoor area on the north side of the building that is fully enclosed by a 6' tall fence. There will be a sliding gate installed to separate this area from the existing parking lot. A security/monitoring area will be located by this gate to allow employees to ensure that alcoholic beverages are not transported into/out of this area by customers. This gate would be open when the area is not in use to allow for employee/overflow parking in this area.

This new area will contain 80 seats at picnic tables and another 20 individual seats for customers where they can be served food and alcoholic beverages. The applicants also request live entertainment in this area, up to four (4) pieces, amplified, up to three (3) days per week, from 1:00 PM – 4 or 5:00 PM. This entertainment would be on a 10' X 10' temporary stage elevated about 1' off the ground and located just in front of the south side of the fenced area, facing north. There would be a second, short fence behind the stage, and in front of the main fence, to assist in sound abatement. The applicants also request that the current **“no games allowed”** restriction (See Above) be changed to allow 2-3 cornhole games in this area, which would be located in the northeast corner.

This new area would be open from April 1st – October 31st each year from 11:30 AM – 9:00 PM seven (7) days per week. It would be closed the rest of the year.

April R. Payne
Liquor License Administrator

[illegible]

Received 9-13-24
ARP

LAW OFFICES
WILLIAMS, MOORE, SHOCKLEY & HARRISON, L.L.P.
3509 COASTAL HIGHWAY
OCEAN CITY, MARYLAND 21842

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RAYMOND C. SHOCKLEY
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CHRISTOPHER T. WOODLEY
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jmoore@whmsh.com

MARCUS J. WILLIAMS (1923-1995)
EDWARD H. HAMMOND, JR.
(1942-2011)

OF COUNSEL
JOSEPH G. HARRISON, JR.

September 11, 2024

Ms. April Payne, License Administrator
Worcester County Board of License Commissioners
Worcester County Government Center
1 West Market Street, Room 1201
Snow Hill, MD 21863
Re: Eric Fiori – Forgotten Fifty License Premises Alteration # 947

Dear April,

As we have discussed on the phone, I enclose two representative site plans showing the additional area proposed to be added to the license premises for outdoor dining on a seasonal basis (bordered in yellow), together with the denotation of the proposed location for picnic tables and chairs to be utilized for the outside dining.

You will also note on attachment two that there is the denotation of a sliding gate which would separate the parking area from the outdoor venue when it is in use. Also at the outside entrance would be a monitoring and security area serviced by active employee staff so that persons entering and exiting the outdoor venue could not bring in or take out any alcoholic beverages and all beverages would be purchased on the premises. When the outdoor venue is not in use, the sliding gate would be opened to provide additional areas for employee parking to the rear of the building and possibly overflow parking.

Also requested would be entertainment to take place between the approximate hours of 1:00pm to 4:00pm or 5:00pm on weekends, with a maximum of four pieces amplified. The timing and direction of the amplified music would be directed away from any residential property adjacent or nearby. Also to be allowed a cornhole area.

I also enclose a check payable to "Worcester County" in the amount of \$200.00 for alteration of the premises.

I am hopeful that we will be on the October agenda for this request so that we would still have some nice seasonal weather remaining to begin our additional venue for the benefit of our customers and the public.

Sincerely,



Joseph E. Moore

1/2
PARCEL OF BEELIN
PARCEL 410
3-014619
717/455
RED LINES
UN PAID

N 29°52'35" E
6.07

S 56°09'00" E
50.17

N 89°00'23" E
198.50

S 14°36'57" W
154.30

REVISED PARCEL 183
1.74 ACRES±
TAX ID: 03-016625
ORIGINAL AREA = 0.67 ACRES±
AREA ADDED = 1.07 ACRES±

1.07 ACRES OF PARCEL 180 ITEM 2
TO BE ADDED TO AND BECOME
PART OF PARCEL 183

N 29°50'30" E
235.07

LINE ADDED PER THIS PLAT
N 88°35'40" W 103.32'

REVISED PARCEL 188
ITEM 2
0.44 ACRES±
TAX ID: 03-769197
ORIGINAL AREA = 1.51 ACRES±
AREA REMOVED = 1.07 ACRES±

N/F
BUGS PROPERTIES LLC
T.M. 25 - PARCEL 1592
TAX ID: 03-11176
ZONED: B-2
EXISTING DWELLING

N/F
WILLIAM S. WILLIAMS III &
DEBRA MITCHELL WILLIAMS
T.M. 25 - PARCEL 1569
TAX ID: 03-11513
ZONED: B-2
EXISTING DWELLING

N 79°14'40" W 79.48'
S 79°14'43" E 73.48'

60.03
N 87°36'10" W 116.08

80.01
N 86°03'59" W

N/F
BUGS OSHAROOM
AMERICAN LEGION POST #123
T.M. 25 - PARCEL 162
TAX ID: 03-014195
TAX ID: 03-1321246
P.D. 162111
ZONED: D-2

S 9°14'38" E 173.39' TOTAL

N 01°36'53" E 200.00'

OLD OCEAN CITY BLVD.
MD. RTE. 346

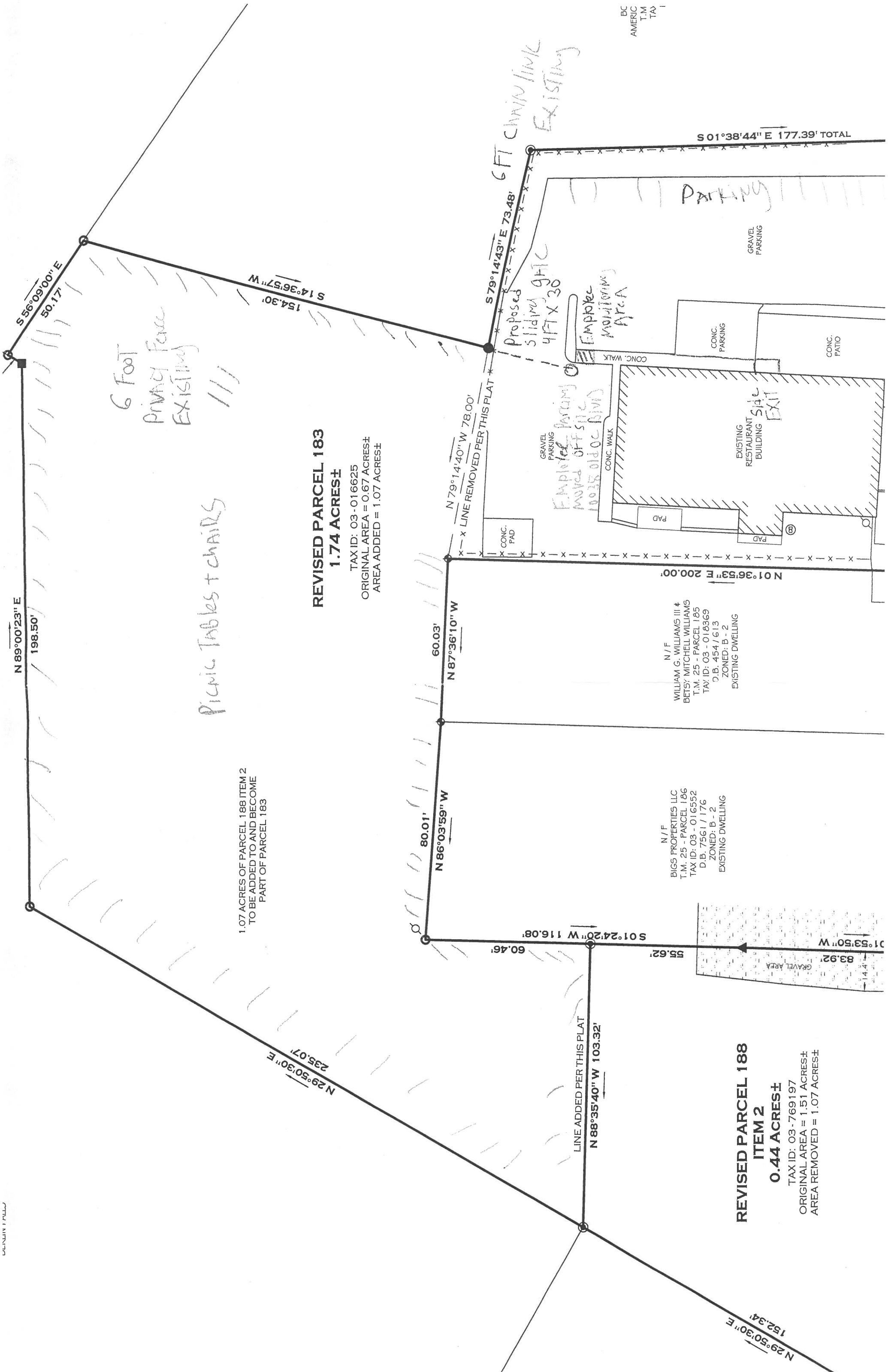
175.21'
N 86°45'08" W

501°53'50" W
83.92'

GRAVEL AREA

GRAVEL AREA

182.34'
S 01°30" E



* Letter of Support

Gee & Betsy Williams
10101 Old Ocean City Blvd
Berlin, MD 21811

September 14, 2024

Ms. April Payne, License Administrator
Worcester County Board of License Commissioners
Worcester County Government Center
1 West Market Street, Room 1201
Snow Hill, MD 21863

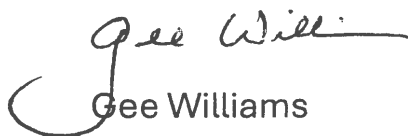
Ms. Payne,

My wife and I are the next door neighbors of the Forgotten 50 restaurant and distillery in Berlin. We are writing this letter to express we have no opposition to the outdoor live music being planned for Forgotten 50.

We understand from Cody Miller, owner and head distiller, that Forgotten 50 will be hosting outdoors a live band (4-piece max) but most likely one to two musicians for one or two days a week. Mr. Miller has told us that the band will be playing for a three-hour set no later than dusk in the fall/winter months and will end at dusk in the summer months.

Please share this letter with the county Board of License Commissioners.

Sincerely,


Gee Williams


Betsy Williams

**BOARD OF LICENSE COMMISSIONERS
FOR WORCESTER COUNTY**

REPORT OF INVESTIGATION

*Type: Request to Expand the Licensed Premises
Request to Add 47 Various Arcade Games*

09-25-2024

License No: 18

Class: B

Type: Beer-Wine-Liquor

APPLICANT(S):

1. Jay Taustin

2. Cole Taustin

3.

4.

TRADE NAME: Embers Restaurant & Blu Crabhouse CORP: The Embers Restaurant, Inc.

LOCATION: 2305 Philadelphia Avenue, Ocean City

RESTRICTIONS: Off sale of beer and wine only in factory sealed containers, live entertainment amplified allowed outside in courtyard on the south side of the building with a maximum of four pieces seven days per week from 12 P.M. until 9 P.M., no live entertainment downstairs, no live entertainment in the open air third floor area adjacent to Coastal Highway except by special request, alcohol service to following areas to cease by 9:00 P.M. – unenclosed 2nd floor area at east end of canal facing west and unenclosed 1st floor area at east end of canal facing north, speakers allowed in outside beach area to west end of property, night club cannot be expanded without a hearing

The licensees request an expansion of the licensed premises to include the 6,000 SF (including hallway area) “Surf’s Up Arcade” on the second floor as part of the licensed premises, and to add the 47 various arcade games located in this space. Alcoholic beverages will not be sold inside the arcade, but this expansion would allow patrons to walk with alcoholic beverages from the existing restaurant in this area.

This restaurant is connected to the arcade. Approval of this request would mean that customers in this dining room, both for regular dining and special events, would be permitted to carry their drinks through the door that connects the dining room to the arcade area without having to leave them in the dining room each time they want to enter the arcade.

Harold F. Cook
Board Investigator

April R. Payne
Liquor License Administrator

[illegible]

LAW OFFICES

BOOTH CROPPER & MARRINER

A PROFESSIONAL CORPORATION

9927 STEPHEN DECATUR HIGHWAY, F-12

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EASTON, MD 21601

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FAX (410) 820-6586

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CURTIS H. BOOTH
HUGH CROPPER IV
THOMAS C. MARRINER*
ELIZABETH ANN EVINS
LYNDSEY J. RYAN
KRISTINA L. WATKOWSKI
CARLY HYDING LANDOLFI
*ADMITTED MD & DC

September 20, 2024

Mrs. April R. Payne
Liquor License Administrator
Worcester County
One West Market Street, Room 1201
Snow Hill, Maryland 21863

RE: Ember's Class "B" B/W/L 7 Day License

Dear Mrs. Payne:

I am writing on behalf of Ember's, and Cole Taustin, to expand the licensed premises.

The second floor of the Embers Complex includes the Surf's Up Arcade, which is approximately 6,000 square feet, and the license holder is desirous of including this as part of the licensed premises. There will be no point of sale in the arcade; instead, patrons can walk with alcoholic beverages from the existing restaurant into this area.

It is really an integral part of the Ember's Complex. It is on the second floor, so a patron would have to use either the interior stairs or the elevator to gain access. The arcade is not separately marketed or advertised. It is part of the Ember's Complex.

The floor plans for the first floor, second floor, and third floor are attached. The arcade area is on the second floor, and it is highlighted. Mr. Taustin also included a hand-drawn sketch showing the exact location of the machines in the arcade.

Finally, there is a list of the machines attached. Our check in the amount of \$200.00 is also enclosed.

Please let me know if you need anything else and have a great day.

Very truly yours,

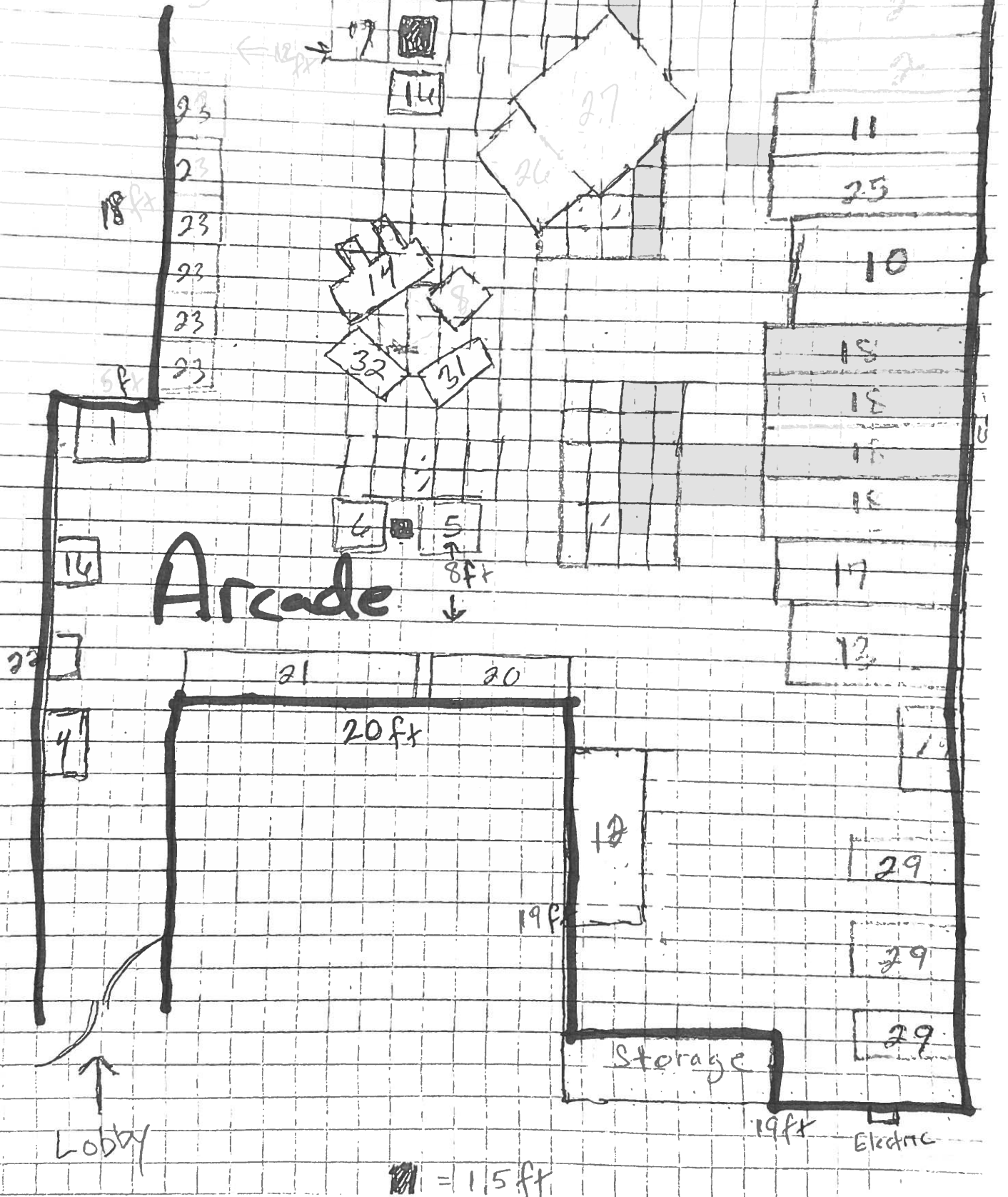


Hugh Cropper IV

HC/tgb
Enclosures

Request to expand the licensed premises
Request to add 47 various arcade games

←
To Dining



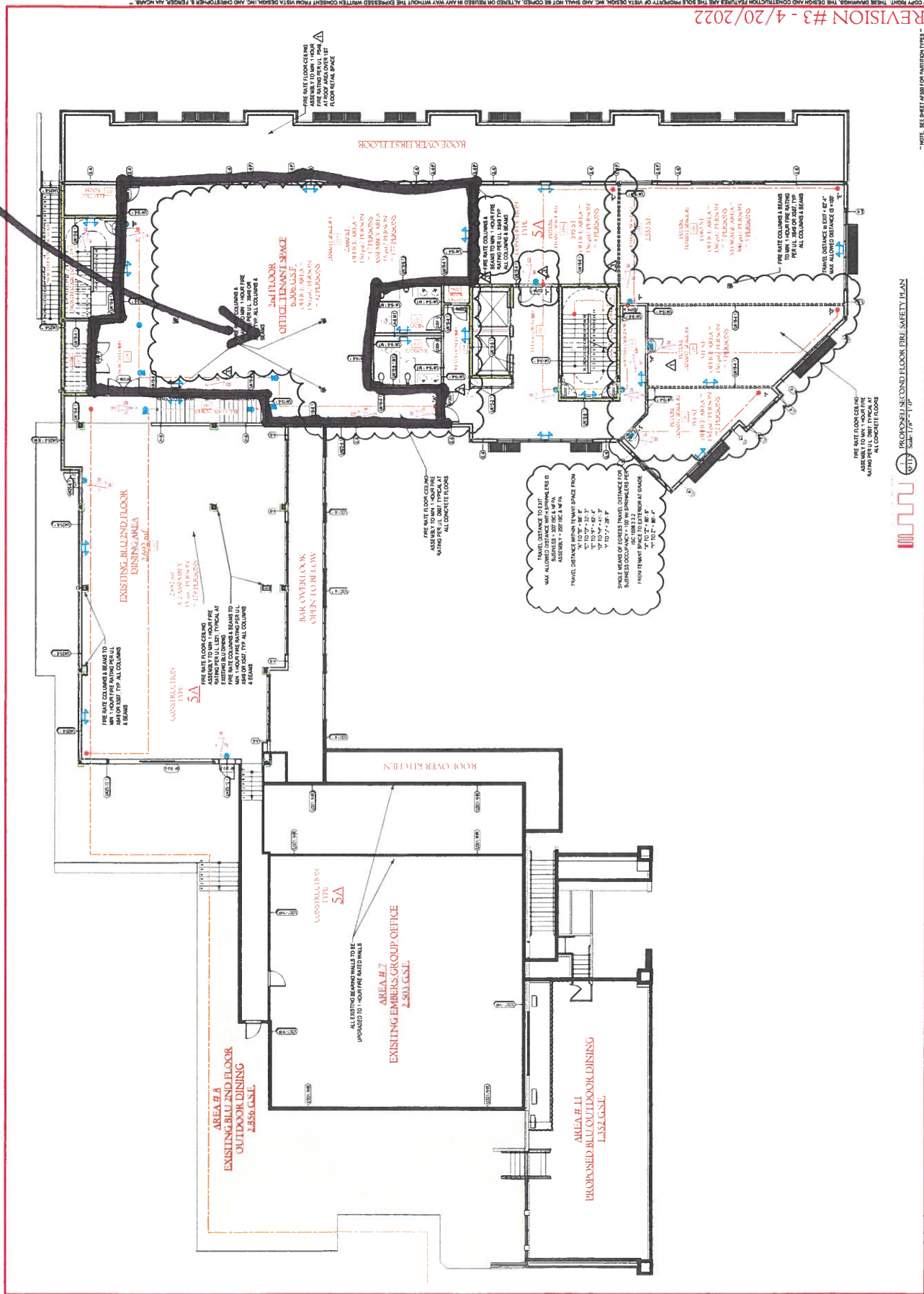
$\square = 11.5 \text{ ft}$

Surf's Up Arcade	
Machine List	Despription
Air FX	Air Hockey Table
Ball Claw machine	Claw Machine
Batman 66 Pinball	Pinball Machine
Bean Bag Toss	Ticket Redemption
Big Buck Reloaded	Video Game
Big Foot Crush Left Red	Ticket Redemption
Big Foot Crush Right Blue	Ticket Redemption
Candy Crane	Claw Machine
Connect 4 Red	Basketball
Connect 4 Yellow	Basketball
Crossy Road left	Ticket Redemption
Crossy Road right	Ticket Redemption
Cruis'n Blast	Racing Arcade Game
Cruis'n Blast	Racing Arcade Game
Cut 2 Win	Claw Machine
Cut the Rope	Ticket Redemption
Duck Crane	Claw Machine
Flintstones Pusher	Ticket Redemption
Flintstones Pusher	Ticket Redemption
Fruit Ninja FX 2	Ticket Redemption
Hoops FX	Basketball
Hoops FX	Basketball
Hyper Pitch left p1	Baseball Radar System
Hyper Pitch right p2	Baseball Radar System
Ice Ball	Skeeball
Ice Ball	Skeeball
Ice Ball	Skeeball
Ice Ball	Skeeball
Jurassic Park	Video Arcade Game
KC Cobra Kiddie Ride	Kidde Ride
Lollipop Crane	Claw Machine
Monopoly	Ticket Redemption
Mortal Kombat	Classic Video Game
Ninja Turtles	Pinball Machine
Pearl Fishery p1	Ticket Redemption
Pearl Fishery p2	Ticket Redemption
Pearl Fishery p3	Ticket Redemption
Photobooth	Photobooth Classic Strips

Piano Keys Mini	Ticket Redemption
Plush Crane	Claw Machine
Plush Crane	Claw Machine
Plush Crane	Claw Machine
Power Roll	Ticket Redemption
Tons of Tickets	Claw Machine
Whack A Clown	Whack A Mole Redemption
Whack N Win	Whack A Mole Redemption
James Bond Pinball	Pinball Machine

[illegible]

Arcade



-- NOTE. SEE SHEET AF500 FOR PARTITION TYPES --

1 PROPOSED SECOND FLOOR FIRE SAFETY PLAN
WH-19 Scale 1/8" = 1'-0"

AFI12

Professional Certificate
I CERTIFY THAT THESE DOCUMENTS
WERE PREPARED OR APPROVED BY
ME, AND THAT I AM A DULY LICENSED
ARCHITECT UNDER THE LAWS OF THE
STATE OF MARYLAND
CHRISTOPHER FENGER, AIA MCAED
LICENSE NO: 13363
EXPIRATION DATE: 11-30-2022

VISTA
DESIGN, INC.
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Phone (408) 352-1874 email info@vista-design.com
11840 Northwest Highway, Suite 100, San Jose, CA 95141

PHASE 2 CONSTRUCTION
COMPLEX
MEMBERS RESTAURANT

SECOND FLOOR FIRE
SAFETY PLAN

PROJECT DATA:

Project Number	2021-005
File	From: B&B NO. P2C738, J.A.M.B.
Project Date	1 - 26 - 2021
Plot Date	Apr 11 2022 1:01:03 PM
Sheet Dates	4/26/2022
Sheet Scale	1/8" = 1'-0"

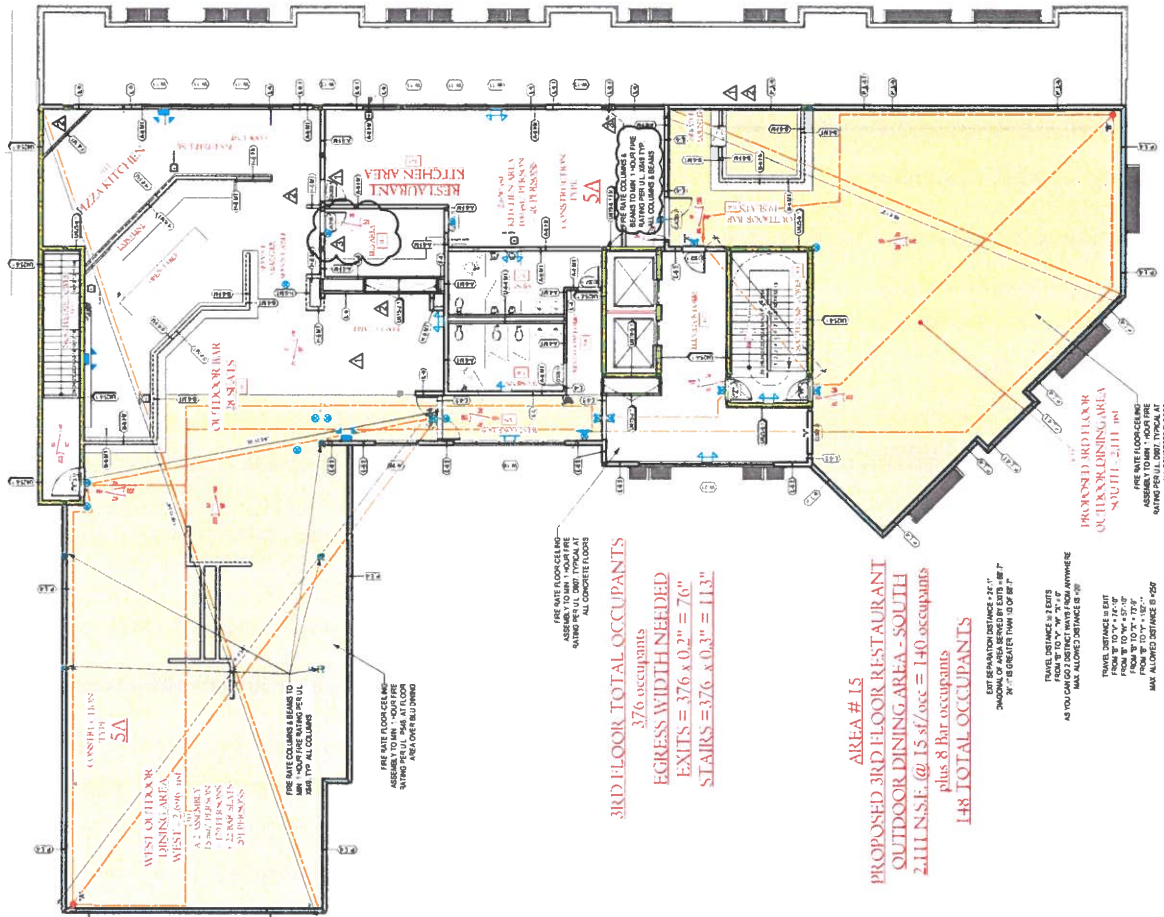
#	DATE	REASON FOR THE DISCUSSION
5	4/7/2012	DISCUSSION TO BE HELD WITH WALL CHAIRMAN
4	1/22/2012	DISCUSSION TO BE HELD WITH CHAIRMAN
3	1/22/2012	DISCUSSION TO BE HELD WITH WALL CHAIRMAN
2	1/22/2012	DISCUSSION TO BE HELD WITH WALL CHAIRMAN
1	1/22/2012	DISCUSSION TO BE HELD WITH WALL CHAIRMAN

3rd floor

AREA # 14
 PROPOSED 3RD FLOOR RESTAURANT
 OUTDOOR DINING AREA - WEST
 2,696 N.S.F. @ 15 sq./person = 179
 PERSONS
 plus 23 BAR SEATS
 202 TOTAL PERSONS

EXIT SEPARATION DISTANCE = 15'-0"
 FROM 8'-0" TO 15'-0" MAX. ALLOWED DISTANCE IS 15'-0"
 FROM 15'-0" TO 20'-0" MAX. ALLOWED DISTANCE IS 20'-0"
 FROM 20'-0" TO 25'-0" MAX. ALLOWED DISTANCE IS 25'-0"
 FROM 25'-0" TO 30'-0" MAX. ALLOWED DISTANCE IS 30'-0"
 FROM 30'-0" TO 35'-0" MAX. ALLOWED DISTANCE IS 35'-0"
 FROM 35'-0" TO 40'-0" MAX. ALLOWED DISTANCE IS 40'-0"
 FROM 40'-0" TO 45'-0" MAX. ALLOWED DISTANCE IS 45'-0"
 FROM 45'-0" TO 50'-0" MAX. ALLOWED DISTANCE IS 50'-0"
 FROM 50'-0" TO 55'-0" MAX. ALLOWED DISTANCE IS 55'-0"
 FROM 55'-0" TO 60'-0" MAX. ALLOWED DISTANCE IS 60'-0"
 FROM 60'-0" TO 65'-0" MAX. ALLOWED DISTANCE IS 65'-0"
 FROM 65'-0" TO 70'-0" MAX. ALLOWED DISTANCE IS 70'-0"
 FROM 70'-0" TO 75'-0" MAX. ALLOWED DISTANCE IS 75'-0"
 FROM 75'-0" TO 80'-0" MAX. ALLOWED DISTANCE IS 80'-0"
 FROM 80'-0" TO 85'-0" MAX. ALLOWED DISTANCE IS 85'-0"
 FROM 85'-0" TO 90'-0" MAX. ALLOWED DISTANCE IS 90'-0"
 FROM 90'-0" TO 95'-0" MAX. ALLOWED DISTANCE IS 95'-0"
 FROM 95'-0" TO 100'-0" MAX. ALLOWED DISTANCE IS 100'-0"

CONSTRUCTION TYPE
 TYPE III
 SA
 ALLOW



PROPOSED 3RD FLOOR FIRE SAFETY PLAN
 Scale: 1/8" = 1'-0"

NOTE: SEE SHEET MARY FOR PARTITION TYPES

REVISION #3 - 4/20/2022

<p>PROJECT DATA:</p> <p>Project Name: 3RD FLOOR RESTAURANT</p> <p>Project Location: 2005 BROADWAY AVENUE, OAKLAND, CA 94612</p> <p>Project Date: 4/20/2022</p> <p>Project Scale: 1/8" = 1'-0"</p>	<p>THIRD FLOOR FIRE SAFETY PLAN</p>	<p>PHASE 2 CONSTRUCTION</p> <p>COMPLIN</p> <p>THIRD FLOOR RESTAURANT</p>	<p>VISTA Design, Inc.</p> <p>2005 BROADWAY AVENUE, OAKLAND, CA 94612</p> <p>Phone: (415) 778-1111</p> <p>Website: www.vistadesign.com</p>	<p>AF113</p>
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