

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR JOLLY JELLYFISH BEACH CLUB - NEW
OCTOBER 16, 2024

Members Present:		William E. Esham, Jr., Chairman		X	R. Charles Nichols	<input type="checkbox"/>	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 #:	NEW	Hearing Date:	October 16, 2024		Time Hearing Started:	1:00 p.m.		
Class:	"B"	Type:	B/W/L		Day:	7 Day		
For: Don't Be Jelly, LLC			T/A: Jolly Jellyfish Beach Club		Address: 9800 Coastal Highway Ocean City, Maryland 21842			
New Application:	X Yes		Transfer:	<input type="checkbox"/> Yes		Meeting:	<input type="checkbox"/> Yes	Violation: <input type="checkbox"/> Yes
Items to be discussed: Application for Class "B" B/W/L 7 Day License request to designate as Multiple License #2								
Applicants:	X		Licensees:	<input type="checkbox"/>		Representative:		
1. Marc A. Custodio					Joseph E. Moore, Esquire			
2. Sherri E. Custodio								
Witnesses:					Protestants:			
1.					1.			
Exhibits:					Exhibits:			
1. Applicant's Exhibit #1 – Floor Plans for Inside & Outside of premises					1.			
2. Applicant's Exhibit #2 - Menu					2.			
3. Applicant's Exhibit #3 - Letter of support from Plaza Condominium Managing Director					3.			
<p>Hearing Minutes: The applicants, along with their attorney Joseph E. Moore, Esquire, appeared before the Board to request a Class "B" B/W/L 7 Day license, designating it as Multiple License #2. The applicants were sworn in. Moore introduced himself and stated that he is representing Marc Custodio and Sherri Custodio. Mr. Coates noted for the record that his law firm represents the applicants in other business matters. Moore confirmed he has no objections to Mr. Coates' involvement with this application. Since November 2022, Mr. and Mrs. Custodio have been the licensees for Coin's Pub & Restaurant, License #187, with no violations. If approved, they request that Coin's Pub & Restaurant, license #187, be designated as Multiple License #1, with this license as Multiple License #2. Moore asked Mr. Custodio if the establishment, known for its food and beverage service inside and outside, would upgrade the outdoor dining if the application is approved. Mr. Custodio confirmed, "Yes." Moore stated that they have shared their upgrade and business plans with the Board of Directors of the Plaza Condominium, who support the concept. Custodio confirmed, "Yes." Moore submitted (Applicant's Exhibit #1) floor plans for inside and outside premises, and (Applicant's Exhibit #2) the menu. He noted that the outdoor floor plan covers approximately 5,000 SF with about 160 seats at tables and 30 bar seats. This area will also include an outdoor kitchen serving food, along with the pool deck area. Mr. Custodio confirmed this, "Correct." Moore inquired if Mr. Custodio requested live entertainment, four pieces outside, seven days a week. Mr. Custodio affirmed, "Yes." Moore noted that the area being part of a condominium complex raises concerns, but Custodio has met with the Plaza Condominium managing director, who supports the entertainment request. Custodio affirmed, "Correct." Moore submitted (Applicant's Exhibit #3) a letter of support from the Plaza Condominium managing director. Moore clarified that, after discussing with Skip Cook, Board Investigator, Mr. Custodio understands the difference between a DJ and a music technician and is requesting a music technician when live music is not played. Custodio confirmed, "Correct." Commissioner Esham sought clarification on expanding the licensed premises. Moore clarified they are not expanding the premises but seeking to expand the entertainment privileges. Commissioner Pusey asked about the change in entertainment</p>								

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR JOLLY JELLYFISH BEACH CLUB - NEW
OCTOBER 16, 2024

times. Custodio mentioned that the Plaza requested earlier entertainment for guests waiting for their rooms, allowing them to enjoy food and entertainment while waiting. Commissioner Pusey also inquired about the band area's location and any past noise complaints. Custodio stated he had no knowledge of complaints and assured us that the planned music concept without live drums and horns should not disturb guests. Custodio committed to working with the Plaza to ensure no guests are disturbed. Commissioner Esham concluded that since the condominium requested the entertainment, they grant it, and any issues will be addressed if they arise. Custodio assured, "I will be sure to fix whatever they ask."

Commissioner Esham asked if Custodio's request was for a DJ or a music technician. Custodio responded, "I'm requesting a 'Music Technician.'"

The Board tentatively approved the application for a Class "B" B/W/L 7 day license designated as multiple license #2; pending all required documentation.

Motion:	1st	Ms. Pusey	2nd	Mr. Esham	Approved:	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
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Restrictions: LIVE ENTERTAINMENT ALLOWED OUTSIDE WITH A MAXIMUM OF FOUR PIECES FROM 12 P.M. UNTIL 8 P.M. SEVEN DAYS PER WEEK, MUSIC TECHNICIAN ALLOWED OUTSIDE, NO GAMES ALLOWED, NO POOL TABLES ALLOWED, NO OFF SALE

Time Hearing Ended: 1:20 p.m.

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR OAKED AT THE GLOBE – LICENSE #908
OCTOBER 16, 2024

Members Present:		William E. Esham, Jr., Chairman		X	R. Charles Nichols	<input type="checkbox"/>	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 #:	908	Hearing Date:	October 16, 2024		Time Hearing Started:	1:20 p.m.		
Class:	"B"	Type:	B/W/L		Day:	7 Day		
For: Oaked at the Globe, LLC		T/A: Oaked at the Globe		Address: 12 Broad Street Berlin, Maryland 21811				
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 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								
Applicants:	X	Licensees:	<input type="checkbox"/>		Representative:			
1. Meghan L. Newberger					Joseph E. Moore, Esquire			
2. Jason Welch								
Witnesses:					Protestants:			
1. Laura Stearns (Atlantic Hotel GM)					1.			
2. Patrick Vorsteg					2.			
Exhibits:					Exhibits:			
1. Applicant's Exhibit #1 – Inside & Outside Floor Plans					1.			
2. Applicant's Exhibit #2 - Menu					2.			
<p>Hearing Minutes: The applicants along with their attorney Joesph E. Moore, Esquire appeared before the Board with an application to transfer a Class "B" B/W/L 7 Day license from Braddah Barney's to Oaked at the Globe, LLC. The applicants and witnesses were sworn in. Moore introduced himself to the Board and stated he will be representing the applicants Jason Welch, and Meghan Newberger today. Commissioner Esham noted for the record he is a minority stakeholder in the real estate at the Atlantic Hotel. Moore stated that he has advised his clients, and we have no objection to Commissioner Esham hearing this transfer request. If approved this license will be designated as Multiple License #3 for Oaked at the Globe. Moore detailed that Oaked 110 license #727 is designated License #1, and Bour Agave Bourbon and Tequila Joint, is multiple license #2. Moore asked Welch, has there been any violations at either of your establishments. Welch replied "No." Moore submitted (Applicant's Exhibit #1) inside & outside floor plans, illustrating the layout for the dining and bar areas. Moore also submitted (Applicant's Exhibit #2) menu, noting that the dining concept will be more upscale than Welch's other establishments. Moore discussed past entertainment issues at the establishment, resulting in disturbances to surrounding neighbors and the termination of entertainment privileges. Moore asked Welch if he was aware of these issues and how he plans to address them. Welch stated the music will be like background dinner music, ensuring guests can converse comfortably. Moore asked if the Board grants entertainment on a limited basis to see how it's accepted by neighbors and the Atlantic Hotel, would he agree. Welch state "Yes." Moore also asked if Welch would work closely with the management of the Atlantic Hotel to ensure guests are disturbed. Welch stated "Yes." Moore asked Welch, you are requesting live entertainment for two (2) pieces, non-amplified four days per week 11 a.m. to 10 p.m. outside, and four (4) pieces, and a music technician five (5) days per week inside. Commissioner Pusey inquired about the entrance/exit control of the Tiki Bar. Welch stated the door will be used only as an emergency exit, with customers entering and exiting through the front door. Signs and buzzers will be placed to alert staff if the door is opened. Commissioner Esham mentioned another door being used, not the Tiki Bar door. Welch confirmed it is also an emergency door and will not be used unless necessary. Mr. Coates noted that past complaints involved employees opening the door for fresh air, disturbing neighbors</p>								

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR OAKED AT THE GLOBE – LICENSE #908
OCTOBER 16, 2024

with the music. Welch assured the Board this would not happen again. April Payne, Board Administrator asked Welch how the customers will access the Tiki Bar. Welch confirmed all customers will enter and exit through the front door, with the side door controlled. Welch stated we can't lock the door for safety issues. Welch stated that if for some reason we need to use the side door I would have staff and monitoring patrons. Payne read aloud the past complaints and incidents at the establishment. Welch stated to the Board "I can't speak on how the other license holders ran this establishment, but I will say I will not replicate what they have done. Laura Stearns, conveying John Fager's words, stated support for new businesses in Berlin, he noted past problems with loud music, resulting in guest reimbursements and poor reviews. Stearns requested a compromise, outside music to stop at 9 p.m. and inside music at 11 p.m. Welch agreed to exchange contact information for direct communication, stating the request for 11 p.m. was to ensure they are within entertainment guidelines. Stearns agreed to support inside music until 11 p.m. Commissioner Esham asked Moore to clarify for the record what is being requested for inside entertainment. Moore stated the inside entertainment request is for live entertainment four (4) pieces amplified, five (5) days per week 11 a.m. to 2 a.m. Moore asked Welch after the discussion with Stearns do you wish to revise your inside entertainment request. Welch stated the inside entertainment hours can be revised to 11 a.m. to 10 p.m., with Karaoke one (1) night per week, and a music technician inside, only one form of entertainment would take place at any one time.

The Board tentatively approved the 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; pending all required documentation.

Motion:	1st	Mr. Esham	2nd	Ms. Pusey	Approved:	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
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Restrictions: LIVE ENTERTAINMENT ALLOWED INSIDE AMPLIFIED FIVE DAYS PER WEEK WITH A MAXIMUM OF FOUR PIECES 11 A.M. UNTIL 11 P.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, MUSIC TECHINICAN ALLOWED INSIDE, NO DISC JOCKEY OUTSIDE OR MUSIC TECHNICIAN ALLOWED OUTSIDE, NO POOL TABLES ALLOWED, NO OFF SALE, ALL DOORS MUST BE CLOSED DURING INSIDE ENTERTAINMENT

Time Hearing Ended: 1:55 p.m.

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR FORGOTTEN FIFTY – LICENSE #947
OCTOBER 16, 2024

Members Present:		William E. Esham, Jr., Chairman		X	R. Charles Nichols	<input type="checkbox"/>	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 #:	#947	Hearing Date:	October 16, 2024		Time Hearing Started:	2:00 p.m.		
Class:	"D"	Type:	B/W/L		Day:	7 Day		
For: Forgotten Fifty, LLC			T/A: Forgotten Fifty		Address: 10103 Old Ocean City Boulevard Berlin, Maryland 21811			
New Application:	<input type="checkbox"/> Yes	Transfer:	<input type="checkbox"/> Yes		Meeting:	<input checked="" type="checkbox"/> Yes		Violation: <input type="checkbox"/> Yes
Items to be discussed: 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								
Applicants: <input type="checkbox"/>		Licensees: X		Representative:				
1. Matthew C. Miller				Joseph E. Moore, Esquire				
2. Eric J. Fiori								
Witnesses:				Protestants:				
1.				1.				
Exhibits:				Exhibits:				
1. Applicant's Exhibit #1 – Outside Area Site Plan				1. Board's Exhibit #1 – List of town residents, and businesses that were notified of licensee's requests				
2. Applicant's Collective Exhibit #2 - Eight (8) photos of property requested for expansion				2.				
<p>Hearing Minutes: The licensees along with their attorney Joseph E. Moore, Esquire appeared before the Board with a 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. The licensees were sworn in. Moore introduced himself to the Board and stated he is representing Matthew C. Miller and Eric J. Fiori today. Moore submitted (Applicant's Exhibit #1) outside area site plan. Moore stated this is an expansion request to the licensed premises that have held an alcoholic beverage license since 2023, encompassing an inside and outside patio dining area, inside bar, and distillery with tasting room. The requested expansion involves a 1.02-acre outdoor area on the north side, fully enclosed by a 6' tall fence with a gate separating it from the existing parking lot. Moore inquired about maintaining control over patrons transporting alcoholic beverages in or out of the proposed area. Miller stated that employees will monitor the gate entrance to ensure patrons do not leave with alcoholic beverages. Moore asked how customers will receive service in the proposed area. Miller stated that servers would deliver food and alcoholic beverages to picnic tables. Miller stated we are requesting a small portable bar stocked with pre-packaged beer, wine, and craft cocktails, always staffed and located around the stage area. Moore asked about seating capacity and operating hours for the new area. Miller stated there would be about 100 seats, with hours from 11:30 a.m. to dusk, depending on the time of year. Moore asked Miller what you are requesting for entertainment. Miller stated we are requesting three (3) pieces, three or four days per week with the hours from 1 p.m. to 5 p.m. Commissioner Esham noted that surrounding neighbors and businesses were notified, and no one is present today to oppose the request. Commissioner Esham asked are you asking for corn hole games, and will the games be stopped when the area is closed. Miller stated that is correct we are asking for 2-3 cornhole games and "Yes," the games will stop when the area is closed. Miller asked Payne did the Board receive a letter of support from Mr. & Mrs. Williams. Payne confirmed that a copy was included in the packet. Commissioner Pusey asked about additional parking. Miller stated there is an off-site area that provides about 50 spaces. Fiori clarified that the parking area consists of two parcels a short distance</p>								

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR FORGOTTEN FIFTY – LICENSE #947
OCTOBER 16, 2024

from the establishment, acquired to ensure surrounding neighbors do not bear the burden of increased parking demand. Commissioner Esham inquired about the gates. Fiori stated that the installed gates are the same as those used at the Ocean Calling venue.

The Board tentatively approved the application for a 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; pending all required documentation.

Motion:	1st	Ms. Pusey	2nd	Mr. Esham	Approved:	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
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Restrictions: LIVE ENTERTAINMENT AMPLIFIED ALLOWED OUTSIDE WITH A MAXIMUM OF FOUR PIECES FOUR DAYS PER WEEK FROM 1 P.M. UNTIL 5 P.M., THREE CORNHOLE GAMES ALLOWED OUTSIDE, TEMPORARY BAR ALLOWED OUTSIDE

Time Hearing Ended: 2:20 p.m.

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR EMBERS RESTAURANT & BLUE CRABHOUSE – LICENSE #18
OCTOBER 16, 2024

Members Present:		William E. Esham, Jr., Chairman		X	R. Charles Nichols	<input type="checkbox"/>	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 #:	#18	Hearing Date:	October 16, 2024		Time Hearing Started:	2:20 p.m.		
Class:	"B"	Type:	B/W/L		Day:	7 Day		
For: The Embers Restaurant, Inc.			T/A: Embers Restaurant & Blu Crabhouse		Address: 2305 Philadelphia Avenue Ocean City, Maryland 21842			
New Application:	<input type="checkbox"/> Yes	Transfer:	<input type="checkbox"/> Yes		Meeting:	<input checked="" type="checkbox"/> Yes		Violation: <input type="checkbox"/> Yes
Items to be discussed: Class "B" B/W/L 7 Day License Request to expand the licensed premises to include 47 various arcade games area								
Applicants:	<input type="checkbox"/>	Licensees:	X		Representative:			
1. Cole Taustin					Hugh Cropper, Esquire			
Witnesses:					Protestants:			
1.					1.			
Exhibits:					Exhibits:			
1. Applicant's Collective Exhibit #1 – 1 st – 3 rd Floor Site Plans & List of Arcade Games					1.			
<p>Hearing Minutes: The licensee along with their attorney Hugh Cropper, Esquire appeared before the Board with a Class "B" B/W/L 7 Day license request to expand the licensed premises, to include area with 47 various arcade games. The licensee was sworn in. Mr. Cropper introduced himself to the Board and stated he is representing Cole Taustin today. Cropper stated this is a request to expand the licensed premises to allow the arcade game area located on the second floor to be included in the licensed premises. Cropper submitted (Applicant's Collective Exhibit #1) 1st through 3rd floor site plans and list of arcade games. Cropper detailed the site plans noting that customers enter through the courtyard, pass a reception area to the second floor where the arcade area is located. Cropper emphasized that the arcade area is part of the restaurant concept, and it is inconvenient for dining customers not to be allowed to take their alcoholic beverages into the arcade area while they watch their children play.</p> <p>Commissioner Esham remarked that the arcade area was not included in the original licensed premises because at the time there was uncertainty about the arcade area. Commissioner Esham confirmed that Taustin was not requesting to sell alcoholic beverages in the arcade area, but simply to allow alcoholic beverages in this area. Taustin replied "Correct."</p> <p>The Board approved the Class "B" B/W/L 7 Day License request to expand the licensed premises, request to add 47 various arcade games area to licensed premises.</p>								
Motion:	1st	Ms. Pusey	2nd	Mr. Esham	Approved:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
Restrictions: LICENSE TO INCLUDE ARCADE GAME AREA, NO BAR ALLOWED IN ARCADE AREA								
Time Hearing Ended: 2:25 p.m.								

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR SELLO'S OVEN & BAR – LICENSE #826
OCTOBER 16, 2024

Members Present:		William E. Esham, Jr., Chairman		X	R. Charles Nichols	<input type="checkbox"/>	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 #:	#826	Hearing Date:	October 16, 2024		Time Hearing Started:	2:25 p.m.		
Class:	"B"	Type:	B/W/L		Day:	7 Day		
For: Sello's of OC, LLC			T/A: Sello's Oven & Bar		Address: 9802 Golf Course Road Ocean City, Maryland 21842			
New Application:	<input type="checkbox"/> Yes	Transfer:	<input type="checkbox"/> Yes		Meeting:	<input type="checkbox"/> Yes	Violation:	<input type="checkbox"/> Yes
Items to be discussed: 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. Brittney A. Acita					Mark Cropper, Esquire			
Witnesses:					Protestants:			
1. Courtney Richardson (Bartender)					1. Sgt. Paul Bissman (WCSO)			
2. Rachel Peck (Manager)					2. Deputy Mark Shayne (WCSO)			
3.					3. Deputy Jasmine Mentzer (WCSO)			
Exhibits:					Exhibits:			
1. Licensee Exhibit #1 – Two Photos of POS screens					1. Board's Exhibit #1 – Board's Investigation Report Dated September 3, 2024, Compliance Check History, Alcohol Awareness Certified Employee List, and Worcester County Sheriff's Office (WCSO) Incident Case Report #24-0001163			
<p>Hearing Minutes: The licensee along with her 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 Minor). The licensee and witnesses were sworn in. Mr. Coates submitted (Board's Exhibit #1) Board's Investigation Report Dated: September 3, 2024, Compliance Check History, Alcohol Awareness Certified Employee List, and Worcester County Sheriff's Office Incident Case Report #24-0001163, into evidence regarding violations that occurred on August 13, 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 Brittney A. Acita. Cropper stated there are no corrections or changes we are here today for mitigation. Cropper asked Acita you were not on the premises when the violation occurred. Acita stated "Correct," my manager Rachel Peck notified me shortly after the incident occurred. Cropper asked Peck is she TIPs/TAM certified. Peck replied "Yes." Cropper asked Peck if you have been TIPs/TAM trained for four years and you have also received training from Acita. Cropper asked Peck if it is the restaurant's policy that the staff receive routine training daily reviewing stressing the of checking IDs and checking IDs correctly. Peck stated "Correct." Cropper asked Richardson if you are TIPs/TAM certified and did ask for the ID on the night of the incident, can you explain to the Board how this incident happened. Richardson stated to the Board she made a legitimate mistake stating I'm not sure if my eyesight was failing me that evening. Cropper asked Richardson, do you believe there was anything Acita or management could have done to prevent this incident. Richardson stated "No," I take full responsibility for this incident. Cropper asked Richardson you were terminated from Sello's after this incident. Richardson replied "Correct." Deputy Shayne stated to the Board the staff was cooperative and</p>								

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR SELLO'S OVEN & BAR – LICENSE #826
OCTOBER 16, 2024

polite. Cropper submitted (Licensee's Exhibit #1) two photos of POS screens. Acita stated to the Board the photos display what each server sees on the screen with each sale, stating this procedure has been in place for four years.

As a result of the evidence presented at the hearing on October 16, 2024, for the above-mentioned licensed premises, the Worcester County Board of License Commissioners found that a violation did occur at the licensed property. This violation letter will be made a part of the file for the establishment. Any future violations could result in a fine, suspension and/or revocation of the alcoholic beverage license.

Motion:	1st	Ms. Pusey	2nd	Mr. Esham	Approved:	X	Yes	<input type="checkbox"/>	N O
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Restrictions:

Time Hearing Ended: 2:35 p.m.

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR LIGHTHOUSE SOUND RESTAURANT – LICENSE #586
OCTOBER 16, 2024

Members Present:		William E. Esham, Jr., Chairman		X	R. Charles Nichols	<input type="checkbox"/>	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 #:	586	Hearing Date:	October 16, 2024		Time Hearing Started:	2:35 p.m.		
Class:	"B"	Type:	B/W/L		Day:	7 Day		
For: Karl, LLC.			T/A: Lighthouse Sound Restaurant		Address: 12723 St. Martins Neck Road Bishopville, 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: 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. Jeanice Dolan								
Witnesses:				Protestants:				
1. Brittany Fremen (Bartender)				1. Sgt. Paul Bissman (WCSO)				
2. Jill Trent				2. Deputy Mark Shayne (WCSO)				
3.				3. Deputy Jasmine Mentzer (WCSO)				
Exhibits:				Exhibits:				
1.				Board's Exhibit #1 – Board's Investigation Report Dated September 3, 2024, Compliance Check History, Alcohol Awareness Certified Employee List, and Worcester County Sheriff's Office (WCSO) Incident Case Report #24-0001164				
<p>Hearing Minutes: The licensee Jeanice Dolan and witnesses Brittany Fremen, and Jill Trent appeared before the Board for a Class "B" B/W/L 7 Day License Violation of Alcoholic Beverages Article, Section 6-304 (Sale to Minor). The licensee and witnesses were sworn in. Mr. Coates submitted (Board's Exhibit #1) Board's Investigation Report Dated: September 3, 2024, Compliance Check History, Alcohol Awareness Certified Employee List, and Worcester County Sheriff's Office Incident Case Report #24-0001164, into evidence regarding violations that occurred on August 13, 2024. Mr. Coates asked the licensee did they receive this information and were there any corrections or changes. Dolan stated "Yes," they had received the information. Dolan stated the one change she would like to reflect in the report, it's noted that the bar was empty, the bar was not empty there were patrons at the bar. Dolan stated Fremen called her to inform her of the violation that evening, I was very surprised to receive this call, Fremen has been an exemplary employee for the past four years. Dolan stated we acknowledge that this violation did occur and is inexcusable and we recognize this is a very serious matter. Dolan stated to the Board we asked for your leniency while you make your determination based on Lighthouse Sound Restaurant's long standing in Worcester County, this is our first violation in our 30 years of operation. Commissioner Esham read for the record the dates that the establishment had compliance checks and did not sell. Deputy Shayne stated the staff were cooperative and polite, we would like to challenge the statement given by Dolan that the bar was not empty. Deputy Shayne stated there were no other patrons at the bar other than the cadet and Deputy Mentzer. Commissioner Esham asked Deputy Shayne were there patrons' seat at tables in the bar area. Deputy Shayne stated "Yes," there were a few patrons seat at sofas in the bar area. Commissioner Pusey asked Fremen was she TIPs/TAM certified. Fremen stated "Yes." I was four years, and I just became recertified. Fremen stated there was a TIPs/TAM certified employee working at the time of the incident.</p>								

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR LIGHTHOUSE SOUND RESTAURANT – LICENSE #586
OCTOBER 16, 2024

As a result of the evidence presented at the hearing on October 16, 2024, for the above-mentioned licensed premises, the Worcester County Board of License Commissioners found that a violation did occur at the licensed property. This violation letter will be made a part of the file for the establishment. Any future violations could result in a fine, suspension and/or revocation of the alcoholic beverage license.

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

Time Hearing Ended: 2:45 p.m.

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

Members Present:		William E. Esham, Jr., Chairman		X	R. Charles Nichols	<input type="checkbox"/>	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:	October 16, 2024		Time Hearing Started:	2:50 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: 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. Ronald M. Singer					Joseph E. Moore, Esquire			
Witnesses:					Protestants:			
1. William Patrick Carols Haro-Gestole (Bartender)					1. Sgt. Aaron Morgan (OCPD)			
Exhibits:					Exhibits:			
1. Licensee's Exhibit #1 – Letter from Joseph E. Moore, Esquire dated September 19, 2024					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			
2. Licensee's Exhibit #2 – List of TIPs Certified Employees					2. Board's Exhibit #2 – Board Meeting Minutes from September 16, 2024			
<p>Hearing Minutes: 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. Mr. Coates stated on September 16, 2024, the Board ruled that the violation did occur on May 31, 2024, based on the contents of the investigation report, additional based on the licensee (Ronald Singer) failure to appear for the violation hearing the Board sanctioned a suspension on the licensed premises effective immediately until March 14, 2025. Mr. Coates submitted (Board's Exhibit #2) Board meeting minutes from September 16, 2024, noting that the minutes from the September 16, 2024 meeting reflect that the Board went into closed session to discuss legal matters under the provisions of Section 3-305(b)(7) of the General Provisions Article of the Annotated Code of Maryland, this was a Quasi-Judicial case meaning this Board can close at any time for discussion, we do not have to meet the Administrative Procedure Act and the Public Notice Act, so I'm going to excise that part of the minutes because it's incorrect.. Joseph E. Moore introduced himself and stated he is representing Ronald M. Singer today. Moore submitted (Licensee's Exhibit #1) letter from Joseph E. Moore, Esquire dated September 19, 2024. Moore stated this letter that Singer contact my firm as soon as he received the letter of suspension, noting in the letter it states the reasons Singer failed to appear for the violation hearing. Moore asked Singer even though the Board had sent the letter notifying him of the hearing he did not receive the letter until Saturday afternoon, September 14th, two days before the hearing. Singer stated that when he received the letter, he was heavily medicated and did not focus on the importance of attending the hearing. Moore asked Singer is it correct the reason you did not attend the hearing was because of the cause of your medical circumstances. Singer replied "Correct Singer stated that as soon as he received the letter, he contacted April Payne, Liquor Administrator and then contact my attorney. Moore stated that even though Singer was not present for the</p>								

violation hearing, it was no an intentional neglect of his responsibilities as a license holder. Singer stated, "I respect the Board." Moore asked Singer what would happen to your employees if the suspension were to continue. Singer stated the business could not survive the closure. Moore asked Singer when you do an internet search it reflects the business is closed. Singer stated that it is correct I have filed with the State of Maryland to change the name to Whiskers Saloon, and doing some painting and adding decorations. Singer stated that if the suspension is lifted, he will plan on reopening at the end of October. Moore stated to Singer you have read the investigation report regarding the Sale to a Minor that occurred on May 31, 2024, are there any disputes. Singer stated "No." Moore stated to Singer in the report it states that the server was not TIPs/TAM certified. Singer stated that is "Correct." Moore asked Singer is it your business practice that your employees be TIPs/TAM certified. Singer stated "Yes." Moore submitted (Licensee's Exhibit #2) list of TIPs certified employees. Moore asked Singer were you on the premises when the incident occurred. Singer stated "No," I had gone home to rest my manager that was TIPs certified was there she was outside smoking. Sgt. Morgan stated they were cooperative and are not known as a trouble spot.

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

SEPTEMBER 16, 2024 - 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.

CHANGE IN SANCTION FROM SEPTEMBER 16, 2024 – SUSPENSION WAS REDUCED AS A RESULT OF THE TESTIMONY AT THE HEARING – SUSPENSION WAS CHANGED FROM MARCH 14, 2025 TO OCTOBER 31, 2024. PROPERTY MAY REOPEN ON FRIDAY, NOVEMBER 1, 2024.

Motion:	1st	Mr. Esham	2nd	Ms. Pusey	Approved:	X	Yes	<input type="checkbox"/>	No
Restrictions:									
Time Hearing Ended: 3:05 p.m.									