

Worcester County Board of License Commissioners
Open Meetings Act Minutes
May 21, 2025

Time: 1:00 p.m.

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

Attendance:

License Commissioners:

R. Charles Nichols

Reese Cropper

William E. Esham, Jr.

Staff:

Thomas K. Coates, Esquire

Hank Fisher, III, Esquire

April R. Payne, Liquor License Administrator

Ian Cameron, Inspector

Kelly Henry, Technical Services Manager

Maria McVey, Alternate Liquor License Assistant

I. Call to Order

II. Administrative Matters

Review and Approval of Minutes, April 16, 2025, the Board of License Commissioners reviewed the minutes, and a motion was made by Commissioner Cropper, seconded by Commissioner Nichols and carried unanimously to approve the minutes as submitted.

III. Closed Session - Administrative Matters with legal counsel to discuss personnel issues.

The meeting was closed without formal vote (as required by Open Meeting Act) by the Board at the beginning session of the Board.

During the closed session, the Board received legal advice stating that the position of the Inspector for the Board must be a law enforcement officer sworn as set forth in the Alcoholic Beverage and Cannabis statute. As a result, the Board requested that legal counsel speak with the Department of Development, Review and, States Attorney or Worcester County Sheriff for the purpose of obtaining a badge for the Inspector so that he could fulfill his statutory duties.

Additionally, the Board obtained legal advice in regard to the procedure for appointments of new board members in the future and the status of holdover board members if appointments are delayed.

No further business was discussed.

IV. Open Session

V. Adjournment

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR AMERICAN LEGION SYNEPUXENT POST #166 – LICENSE #11
MAY 21, 2025

Members Present:	William E. Esham, Jr., Chairman	X	R. Charles Nichols	X	Marty W. Pusey	<input type="checkbox"/>
	Alternate Board Member: Reese Cropper, III	X				
Staff Present:	April Payne, Administrator	X	Ian Cameron, Inspector			X
	Thomas K. Coates, Esq., Board Attorney	<input type="checkbox"/>	Alternate Board Attorney: Name: Hank Fisher, III			<input type="checkbox"/>
	Donna Hughes, Liquor License Specialist	<input type="checkbox"/>	Kelly Henry, Technical Services Manager			X
Alternate Liquor License Assistant: Name: Maria McVey			Valarie Dawson, Court Reporter			X
License #:	11	Hearing Date:	May 21, 2025		Time Hearing Started:	1:10 P.M.
Class:	"C"	Type:	B/W/L		Day:	7 Day
For: American Legion Synepuxent Post #166		T/A: American Legion Synepuxent Post #166		Address: 2308 Philadelphia Avenue, Ocean City		
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:						
Request to change the outside deck hours of service from noon until 11 p.m. to noon until 1 a.m.						
Request for live entertainment on outside deck with a maximum of three pieces or a Disc Jockey to end by 9 p.m.						
Applicants:	<input type="checkbox"/>	Licensees:	X		Representative:	
1. David C Carey						
2. Thomas A Ottewallder						
Witnesses:			Protestants:			
1.			1.			
Exhibits:			Exhibits:			
1.			1.			
<p>Hearing Minutes The licensees appeared before the Board with a request to change the outside deck hours of service from noon until 11 p.m. to noon until 1 a.m. and a request for live entertainment on outside deck with a maximum of three pieces or a Disc Jockey to end by 9 p.m. The licensees were sworn in. Mr. Esham asked them to introduce their case. Mr. Ottewallder, who serves as a volunteer house committee chair, presented the case. He explained that last year their license was upgraded to allow a rooftop deck. They are now requesting to extend the deck's operating hours from 11 PM to 1 AM to match the hours of the downstairs bar. He stated this change would make staff scheduling easier and help them maximize the use of good weather days. Their second request was to allow live entertainment, limited to a maximum of three performers and ending by 9 PM. The goal is to attract more patrons, as they have previously hosted events where guests wanted to sing or play instruments beyond the current restrictions. The organization has approximately 12,000 members, most of whom are over 70 years old. They are a nonprofit organization and donated \$374,000 to the local community last year. Mr. Cropper asked why they need to be open until 1 AM if their clientele is older. Mr. Coates clarified that while their current license allows operation until 2 AM indoors, they voluntarily close earlier. However, they require permission to operate the rooftop deck beyond 11 PM. Mr. Esham asked if they were requesting music outside until 1 AM. Mr. Ottewallder and Mr. Carey clarified that entertainment would end at 9 PM, and the request for the deck to stay open until 1 AM is only for general operation, not entertainment. Ms. Payne stated that both agenda items are related to the outside area. The applicants confirmed this. They noted their normal listed operating hours go up until midnight, and extending the deck hours would provide more flexibility for closing duties and allow patrons more time to enjoy the space. Mr. Carey emphasized that the deck is open from May 1st until around Veterans Day and that live entertainment during the summer is key to drawing in patrons. Mr. Cropper again asked about the rationale behind noise outside until 1 AM. Mr. Ottewallder explained that the venue is located directly on Coastal Highway, with no nearby residential properties, and that highway noise is louder than anything they would generate. Mr. Cropper noted there is a hotel nearby, but Mr. Ottewallder responded that it's across the street and behind the</p>						

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MINUTES FOR AMERICAN LEGION SYNEPUXENT POST #166 – LICENSE #11
MAY 21, 2025

building. He reiterated that they want to keep the deck open until 1 AM, with all live entertainment ending by 9 PM. He cited examples of veterans wanting to play guitar during events. Mr. Nichols remarked that he was present when the original license was approved and noted the Board had spent considerable time determining proximity to the highway, hours of operation, and entertainment limits. Mr. Esham pointed out that if they normally close at midnight, they may not need the full 1 AM extension. Mr. Ottewallder responded that they would still like the flexibility to stay open later occasionally and align the upstairs and downstairs bar closing times. Mr. Carey added that they often close earlier when business is slow to save on personnel costs. Mr. Esham noted the request includes a disc jockey. Mr. Ottewallder clarified that they were referring to playing music through speakers and not having an actual DJ. Mr. Esham asked if the current license has restrictions on music. Mr. Ottewallder confirmed there is no entertainment allowed on the deck under the current license. Ms. Payne specified the current outdoor hours are from noon to 11 PM, with no DJ or live entertainment permitted on the deck. Mr. Esham acknowledged this restriction. Mr. Ottewallder shared an example of a patron wanting to sing the national anthem on the deck but being unable to due to the license terms. Mr. Nichols informed them that special permission can be requested through Ms. Payne for such exceptions. Mr. Ottewallder said he wasn't aware of that provision but maintained the request for regular approval. Mr. Carey added that hiring live bands could help draw more patrons. Mr. Esham asked if the music is currently played downstairs. The applicants confirmed it is. Mr. Nichols reiterated that the current restrictions were carefully considered. Mr. Ottewallder responded that after a year of operation, they've identified new needs. Mr. Cropper suggested using the special request process for a trial period. Mr. Ottewallder agreed it could work for specific events but noted it wouldn't address daily needs. Mr. Esham asked when the deck must close. Ms. Payne answered: 11 PM. Mr. Esham proposed extending closing time to midnight to match their usual practice and suggested allowing a "music technician" instead of a DJ. Mr. Ottewallder agreed. Mr. Esham emphasized no live entertainment except by special request. Mr. Ottewallder asked whether this would permit someone to play guitar or sing on the deck. Mr. Esham questioned the need to extend hours to midnight, noting the facility is meant for legionnaires, not as a nightclub or public venue. Mr. Ottewallder responded that members would like the option for longer hours, especially during events like Legion Week. Mr. Nichols asked if entertainment ends at 9 PM inside as well. Mr. Ottewallder said the 9 PM restriction would apply only to the deck. Mr. Nichols expressed concern about extending the hours too much and reiterated that the current restrictions were carefully developed. He recommended relying on special requests, which can be granted occasionally. Mr. Esham confirmed that the applicants want to stay open on the deck until either midnight or 1 AM and asked if the Board supports allowing patrons on the deck until midnight. Mr. Nichols expressed no objection. Mr. Esham then suggested allowing music to be played by a technician until 9 PM, with no live entertainment or DJ.

Mr. Cropper made a motion to allow music via technician on the deck until 9 PM and to permit patrons on the deck until midnight. Mr. Nichols seconded the motion.

Motion:	1st	Mr. Cropper	2nd	Mr. Nichols	Approved:	<input checked="checked" type="checkbox"/>	Yes	<input type="checkbox"/>	No
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Restrictions: OUTSIDE DECK HOURS OF SERVICE FROM NOON UNTIL 12 MIDNIGHT, MUSIC TECHNICIAN ALLOWED ON OUTSIDE DECK UNTIL 9 P.M., NO LIVE ENTERTAINMENT OUTSIDE DECK, LIVE ENTERTAINMENT ON OUTSIDE DECK BY REQUEST ONLY

Time Hearing Ended: 1:22 P.M.

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR COUNTERCLOX – LICENSE #962
MAY 21, 2025

Members Present:	William E. Esham, Jr., Chairman	<input checked="" type="checkbox"/>	R. Charles Nichols	<input checked="" type="checkbox"/>	Marty W. Pusey	<input type="checkbox"/>
	Alternate Board Member: Reese Cropper, III	<input checked="" type="checkbox"/>				
Staff Present:	April Payne, Administrator	<input checked="" type="checkbox"/>	Ian Cameron, Inspector	<input checked="" type="checkbox"/>		
	Thomas K. Coates, Esq., Board Attorney	<input checked="" type="checkbox"/>	Alternate Board Attorney: Name: Hank Fisher, III	<input checked="" type="checkbox"/>		
	Donna Hughes, Liquor License Specialist	<input type="checkbox"/>	Kelly Henry, Technical Services Manager	<input checked="" type="checkbox"/>		
Alternate Liquor License Assistant: Name: Maria McVey			Valarie Dawson, Court Reporter		<input checked="" type="checkbox"/>	
License #:	962	Hearing Date:	May 21, 2025		Time Hearing Started:	1:22 P.M.
Class:	"B"	Type:	B/W/L		Day:	7 Day
For:	CounterClox, LLC	T/A:	CounterClox		Address: 104 N. Main Street, Berlin	
New Application:	<input type="checkbox"/> Yes	Transfer:	<input checked="" type="checkbox"/> 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						
Applicants:	<input checked="" type="checkbox"/>	Licensees:	<input type="checkbox"/>			
Representative:						
1. Patrice Ottey		Kristina Watkowski, Esquire				
2. Meghan Newberger						
3. Fredric Leibowitz						
Witnesses:		Protestants:				
1.		1.				
Exhibits:		Exhibits:				
1. Applicant's Exhibit #1 – Menu Proposal		1.				
2. Applicant's Exhibit #2 – Picture showing liquor locker rental units		2.				

Hearing Minutes: The applicants, along with their attorney, Kristina Watkowski, Esquire, appeared before the Board with an Application for a Transfer of a Class "B" B/W/L, 7-Day License. The applicants were sworn in. Watkowski introduced herself to the Board as representing Patrice Ottey, Meghan Newberger and Fredric Leibowitz. She noted that Ms. Ottey brings extensive experience from a long-standing career in law enforcement, serving as a detective sergeant, and as the operator of Homes for Hope. Watkowski submitted Applicant's Exhibit #1, which included the proposed menu. Ms. Ottey explained that the restaurant's concept will center on American cuisine and a theme capturing the historical essence of Berlin as a "step back in time" town. The interior will feature a "pause in time" industrial theme, offering a casual yet nostalgic atmosphere. She further explained that the fire marshal approved a total of 75 seats—divided between an upstairs and a downstairs dining area, which will be utilized as needed. The upstairs space is intended for more private gatherings, such as corporate events or funeral wakes. The applicants introduced a new concept called "liquor cabinets", Watkowski introduced Applicant's Exhibit #2, a pictures showing the liquor locker rental units, which they are requesting as part of their application. The idea involves clients renting a cabinet for a year, where a bottle of liquor—purchased through the restaurant—would be stored and served to the client on their return visits. Clients would pay for setups such as soda or mixers. The bottle would not leave the premises, and customers would not be allowed to handle it directly. The purpose of this offering is to create a unique customer experience and promote repeat visits. Ms. Newberger emphasized that bartenders would regulate all pours and maintain control of inventory. The Board counsel Coates noted that Worcester County Rule 8(B) in the Rules and Regulations Handbook prohibits delivering more than two drinks to a customer at one time. He expressed that this bottle service could violate the Rule, as the regulation applies to bottles of liquor, though not to wine bottles. Coates added that no other establishments in the county currently offer this service for liquor bottles. Mr. Cropper confirmed that a previous attempt to implement wine lockers had also been denied. The applicants noted that Taphouse has a similar service, but Coates clarified that they had specifically requested and received Board permission for that model. Mr. Esham asked Coates to repeat the relevant rule. Coates reiterated that

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MINUTES FOR COUNTERCLOX – LICENSE #962
MAY 21, 2025

the rule was instituted in response to past concerns about establishments offering multiple drinks per person at once. Ms. Leibowitz reiterated that staff would strictly control service, no more than two drinks at a time, and that the proposed bottle service would be bartender managed. Mr. Esham ultimately stated that the Board would not allow the liquor cabinet service at this time. Watkowski confirmed that Ms. Ottey will be involved in the day-to-day operations. The business will employ between 12 to 50 employees, with a focus on customer service and security measures including greeting protocols and surveillance cameras. The applicants are requesting the same entertainment privileges previously granted to the location, including music, with no games. They also requested reinstatement of a previously approved 8-person upstairs bar, which was revoked due to a failure to meet the required 6-month compliance period. Additionally, they requested the inclusion of one shuffleboard section. Mr. Leibowitz stated he would serve as operations manager and CFO. He has extensive experience with retail and wholesale bagel businesses across the country, has served as a food and beverage director for Interstate Hotels and Resorts, and was the University of Alaska's food director. Ms. Newberger added that she has 13 years of experience in the food and beverage industry and was part-owner of BourAgave. Mr. Esham inquired about the seating arrangements. Ms. Ottey responded that the main floor has 56 seats. Mr. Esham reminded the applicants that a Class "B" license requires a minimum of 70 seats to be available at all times. Ms. Newberger clarified that the upstairs would be used when necessary. Mr. Esham emphasized that the seating must always be set up and available, and that if the upstairs is closed, the establishment would be out of compliance. Mr. Watkowski mentioned the presence of a pizza oven bar, but Mr. Esham clarified that only tables and chairs count toward the seat count. Ms. Ottey assured the Board that they have the necessary furniture to meet the 70-seat requirement and could move it from the upstairs area to the main floor as needed. Mr. Esham agreed, adding that the Board's Inspector would confirm compliance. Mr. Esham made a motion to approve the transfer application, contingent upon seating compliance, to grant the same entertainment privileges previously approved, and to approve one shuffleboard section.

Motion:	1st	Mr. Nichols	2nd	Mr. Cropper	Approved:	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
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Restrictions: LIVE ENTERTAINMENT AMPLIFIED ALLOWED INSIDE WITH A MAXIMUM OF THREE PIECES THREE DAYS PER WEEK FROM 12 NOON UNTIL 9 P.M. ON BOTH FLOORS, LIVE ENTERTAINMENT WILL NOT OCCUR IN BOTH PLACES AT THE SAME TIME, NO DANCE FLOOR ALLOWED, NO DISC JOCKEY ALLOWED, NO MUSIC TECHNICIAN ALLOWED, ONE SHUFFLEBOARD GAME ALLOWED UPSTAIRS, NO OFF SALE

Time Hearing Ended: 1:45 P.M.

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR 8TH STREET BEER AND WINE – LICENSE #440
MAY 21, 2025

Members Present:	William E. Esham, Jr., Chairman	X	R. Charles Nichols	X	Marty W. Pusey	<input type="checkbox"/>
	Alternate Board Member: Reese Cropper, III	X				
Staff Present:	April Payne, Administrator	X	Ian Cameron, Inspector		X	
	Thomas K. Coates, Esq., Board Attorney	X	Alternate Board Attorney: Name: Hank Fisher, III		X	
	Donna Hughes, Liquor License Specialist	<input type="checkbox"/>	Kelly Henry, Technical Services Manager		X	
Alternate Liquor License Assistant: Name: Maria McVey			Valarie Dawson, Court Reporter		X	
License #:	440	Hearing Date:	May 21, 2025		Time Hearing Started:	1:45 P.M.
Class:	"A"	Type:	B/W		Day:	7 Day
For: 8 th Street Market, LLC		T/A: 8 th Street Beer and Wine		Address: 714 Philadelphia Avenue, Ocean City		
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 a Transfer of a Class "A" B/W 7 Day License						
Applicants:	X	Licensees:	<input type="checkbox"/>		Representative:	
1. Kinga Jasinka			Joseph E. Moore, Esquire			
2. Hanna Kucuk						
3. Ibrahim Can Aksut						
Witnesses:			Protestants:			
1.			1.			
Exhibits:			Exhibits:			
1. Applicants' Exhibit #1 - Pictures of the outside			1.			
2. Applicants' Exhibit #2 – Site plan			2.			
<p>Hearing Minutes: The applicants, along with their attorney, Joseph Moore, Esquire, appeared before the Board with an Application for a Transfer of a Class "A" Beer and Wine, 7-Day License. The applicants were sworn in. Moore introduced himself to the Board as representing Kinga Jasinka, Hanna Kucuk, and Ibrahim Can Aksut. Moore began by questioning Aksut. He stated that Aksut had worked for five years at a local establishment engaged in the sale of beer and wine. Aksut corrected him, noting it has actually been eight years. Moore confirmed that Aksut is TIPS/TAMS certified and currently holds that certification. Aksut has never had any violations. Moore informed the Board that Aksut will serve as the on-site manager. Jasinka and Kucuk are members of the LLC but will not be involved in day-to-day operations. All personnel will be appropriately certified. Moore stated that the premises the applicants will be taking over is currently operating as the E-Z Market. He submitted Applicant's Exhibit #1, consisting of two photographs showing the current exterior of the premises. He noted that the applicants are also requesting to expand the licensed premises, which would include the existing market and an adjacent suite to the left. This suite will be added to the market. When asked when the expansion would be opened, Aksut stated that the expansion would occur within the next year. Moore clarified that the applicants are not requesting any changes to the current license restrictions—only an expansion of the licensed premises. He then submitted Applicant's Exhibit #2, a site plan showing the premises to be licensed. Aksut explained that they plan to operate out of the existing space for the upcoming summer season, provided the transfer is approved. The expansion will be completed later, subject to inspection by the Board and its Inspector. Moore reminded the Board that it has previously found the license reasonably necessary for the public, and therefore, the transfer should also be considered necessary. Mr. Esham asked the Board if any further documentation was needed regarding the expansion. Ms. Payne stated that an inspection of the expanded premises would be required before it could be opened. Mr. Nichols inquired about the number of employees the business would have. Mr. Aksut replied that there would be three to four employees, and he would be managing the business himself as general manager. The applicants confirmed that a lease</p>						

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR 8TH STREET BEER AND WINE – LICENSE #440
MAY 21, 2025

agreement is in place. Mr. Esham asked whether Mr. Aksut would be managing the entire operation alone. Mr. Moore responded that this is a family-run business, and additional staff will be hired as needed during the summer months.

Mr. Nichols made a motion to grant the application for transfer, with the following conditions:

- No seating
- No entertainment
- No games

Mr. Cropper seconded the motion.

Motion:	1st	Mr. Nichols	2nd	Mr. Cropper	Approved:	X	Yes	<input type="checkbox"/>	No
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Restrictions: NEEDS INSPECTION OF NEW AREA BEFORE OPENING

Time Hearing Ended: 1:54 P.M.

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR OC DINER - NEW
MAY 21, 2025

Members Present:	William E. Esham, Jr., Chairman	<input checked="" type="checkbox"/>	R. Charles Nichols	<input checked="" type="checkbox"/>	Marty W. Pusey	<input type="checkbox"/>
	Alternate Board Member: Reese Cropper, III	<input checked="" type="checkbox"/>				
Staff Present:	April Payne, Administrator	<input checked="" type="checkbox"/>	Ian Cameron, Inspector			<input checked="" type="checkbox"/>
	Thomas K. Coates, Esq., Board Attorney	<input checked="" type="checkbox"/>	Alternate Board Attorney: Name: Hank Fisher, III			<input type="checkbox"/>
	Donna Hughes, Liquor License Specialist	<input type="checkbox"/>	Kelly Henry, Technical Services Manager			<input checked="" type="checkbox"/>
Alternate Liquor License Assistant: Name: Maria McVey			Valarie Dawson, Court Reporter			<input checked="" type="checkbox"/>
License #:	NEW	Hearing Date:	May 21, 2025		Time Hearing Started:	1:54 P.M.
Class:	"B"	Type:	B/W/L		Day:	7 Day
For: Magic Food, LLC		T/A: OC Diner		Address: 12744 Ocean Gateway, Ocean City		
New Application:	<input checked="" type="checkbox"/> Yes	Transfer:	<input type="checkbox"/> Yes		Meeting:	<input type="checkbox"/> Yes
					Violation:	<input type="checkbox"/> Yes
Items to be discussed: Application for a Class "B" B/W/L 7 Day License						
Applicants:	<input checked="" type="checkbox"/>	Licensees:	<input type="checkbox"/>		Representative:	
1. Rifat Boluk						
Witnesses:			Protestants:			
1. Meral Boluk			1.			
Exhibits:			Exhibits:			
<p>Hearing Minutes: The applicants were sworn in. Chairman Esham asked them to present their case. Mrs. Boluk and Mr. Boluk appeared before the Board with an new application for a Class "B" Beer, Wine, and Liquor 7-Day License. Mrs. Boluk stated that she has been in the restaurant business for 25 years, and Mr. Boluk has been involved for 35 years. They are not requesting live entertainment or live music; they are only seeking a license to serve alcohol with meals. They confirmed that their lease and business license are in good standing. Both applicants are TIPS/TAMS certified. Ms. Payne suggested that the applicants address the outdoor deck area. Mrs. Boluk explained that the deck can seat 18 people and is enclosed with a gate. There are also signs posted indicating that alcohol cannot be taken beyond the designated area. She confirmed that no music will be played outside. Mr. Nichols asked if the location was formerly where Toast was located. Mrs. Boluk responded that they previously ran TC Diner for over 20 years and had originally planned to retire, but due to high demand from former customers, they decided to open again. Ms. Payne inquired whether there were any speakers on the deck or plans to install any. Mrs. Boluk confirmed that they do not have speakers and do not intend to install any. Chairman Esham noted that if at any point in the future they wish to have speakers outside, they would need to return to the Board to request approval. Mrs. Boluk reiterated that they do not want any music outside. Chairman Esham asked whether the applicants were requesting any off-sale privileges or entertainment licenses. Mrs. Boluk responded no to both. Esham confirmed their intent is solely to serve alcohol with meals. Mrs. Boluk explained that they serve breakfast, including mimosas, Bloody Marys, and similar beverages. Chairman Esham then asked for their hours of operation. Mrs. Boluk stated: 7:00 a.m. to 8:00 p.m. on weekdays and 7:00 a.m. to 9:00 p.m. on weekends. He also inquired about the number of seats inside the restaurant. Mrs. Boluk responded that there are 80 seats. Chairman Esham reminded her that they are required to maintain at least 70 seats at all times. Mrs. Boluk confirmed that they have 80 seats and plan to keep it that way. Mr. Nichols remarked that there have been prior licenses issued for this premise. No further questions were asked. Mr. Cropper made a motion to approve the application as presented, with the condition of no off sale. Mr. Nichols seconded the motion. Chairman Esham concluded by advising the applicants to be mindful of their outdoor deck and to ensure that they do not disturb nearby residents or travelers on Route 50. No restrictions were placed on their hours of operation.</p>						
Motion:	1st	Mr. Nichols	2nd	Mr. Cropper	Approved:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Restrictions: NO LIVE ENTERTAINMENT INSIDE OR OUTSIDE, NO GAMES ALLOWED, NO SPEAKERS ON DECK, NO DISC JOCKEY ALLOWED, NO POOL TABLES ALLOWED, NO OFF SALE						
Time Hearing Ended: 2:00 P.M.						

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR LIBERATORE'S TAPAS-WINE BAR-LIBATION - NEW
MAY 21, 2025

Members Present:	William E. Esham, Jr., Chairman	X	R. Charles Nichols	X	Marty W. Pusey	<input type="checkbox"/>
	Alternate Board Member: Reese Cropper, III	X				
Staff Present:	April Payne, Administrator	X	Ian Cameron, Inspector		X	
	Thomas K. Coates, Esq., Board Attorney	X	Alternate Board Attorney: Name: Hank Fisher, III		<input type="checkbox"/>	
	Donna Hughes, Liquor License Specialist	<input type="checkbox"/>	Kelly Henry, Technical Services Manager		X	
Alternate Liquor License Assistant: Name: Maria McVey			Valarie Dawson, Court Reporter		X	
License #:	NEW	Hearing Date:	May 21, 2025		Time Hearing Started:	2:01 P.M.
Class:	"B"	Type:	B/W/L		Day:	7 Day
For: OC Libs, Inc.		T/A: Liberatore's Tapas-Wine Bar-Libation		Address: 12831 Coastal Highway, Ocean City		
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 a Class "B" B/W/L 7 Day License						
Applicants:	X	Licensees:	<input type="checkbox"/>		Representative:	
1. Florence V. Marcantoni			Mark Spencer Cropper, Esquire			
2. Juan C. Liberatore						
3. Jose M. Liberatore						
Witnesses:			Protestants:			
1.			1.			
Exhibits:			Exhibits:			
1. Applicants' Exhibit #1 - Floor Plan			1.			
<p>Hearing Minutes: The applicants, along with their attorney, Mark Cropper, Esquire, appeared before the Board with a new application for a Class "B" Beer, Wine, and Liquor 7 Day License. The applicants were sworn in. Cropper introduced himself to the Board and stated he was representing Florence Marcantoni, Juan Liberatore, and Jose Liberatore. Cropper explained that the property subject to the application was previously known as Squarz Pizza. He noted that Ms. Marcantoni, who is the resident agent, will not be involved in the day-to-day operations but works in close proximity to the premises. Cropper submitted a floor plan as Applicant's Exhibit #1, which was the floor plan, and stated that improvements are currently underway at the premises. Cropper read from the Inspector's report and corrected two details: Juan Liberatore has been in the restaurant business for 35 years, not five as stated, and the premises contain 82 seats, not 70. He stated that the planned hours of operation will be 4:00 p.m. to 9:00 p.m. on weekdays, which may be adjusted based on customer demand. Cropper noted that the Liberatore family opened their first location in 1988 and have been in the food and beverage business for over 40 years. They currently operate close to 10 successful locations. The improvements to the new location are expected to be completed by the end of July. Jose Liberatore added that they are a hard-working family committed to running a quality establishment. Cropper stated that there would be no outdoor seating. The applicants are requesting limited live entertainment—specifically, a single amplified performer, two days per week between 4:00 p.m. and 9:00 p.m. They plan to employ 15 full-time staff members, all of whom will be TIPS/TAMS certified. Esham asked the Board to consider the request for limited live entertainment. The Board appeared favorable to the request. No further questions were asked. Mr. Nichols made a motion to approve the application as presented. The motion was seconded by Mr. Cropper.</p>						
Motion:	1st	Mr. Nichols	2nd	Mr. Cropper	Approved:	X Yes
				<input type="checkbox"/> No		
Restrictions: LIVE ENTERTAINMENT AMPLIFIED ALLOWED WITH A MAXIMUM OF ONE PIECE FROM 4 P.M. UNTIL 9 P.M. TWO DAYS PER WEEK, NO DISC JOCKEY ALLOWED, NO GAMES ALLOWED, NO POOL TALES ALLOWED, NO OFF SALE						
Time Hearing Ended: 2:11 P.M.						

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR DUCK IN – LICENSE #527
MAY 21, 2025

Members Present:	William E. Esham, Jr., Chairman	X	R. Charles Nichols	X	Marty W. Pusey	<input type="checkbox"/>
	Alternate Board Member: Reese Cropper, III	X				
Staff Present:	April Payne, Administrator	X	Ian Cameron, Inspector			X
	Thomas K. Coates, Esq., Board Attorney	X	Alternate Board Attorney: Name: Hank Fisher, III			X
	Donna Hughes, Liquor License Specialist	<input type="checkbox"/>	Kelly Henry, Technical Services Manager			X
Alternate Liquor License Assistant: Name: Maria McVey		Valarie Dawson, Court Reporter			X	
License #:	527	Hearing Date:	May 21, 2025		Time Hearing Started:	2:18 P.M.
Class:	"A"	Type:	B/W		Day:	7 Day
For: Shanvi, Inc.		T/A: Duck In		Address: 607 Lynnhaven Drive, Pocomoke City		
New Application:	<input type="checkbox"/> Yes	Transfer:	<input type="checkbox"/> Yes	Meeting:	<input type="checkbox"/> Yes	Violation: X Yes
Items to be discussed: Violation of Alcoholic Beverages Article, Section 6-304 (Sale to a Minor)						
Applicants:	<input type="checkbox"/>	Licensees:	X		Representative:	
1. Himansukumar M. Patel		Mark Cropper, Esquire				
2. Michael F. Wright						
Witnesses:		Protestants:				
1.		1.				
Exhibits:		Exhibits:				
1. Applicants Collective Exhibit #1 - Non-Profit Organization Certificate of Social Service Hours		1. Boards' Exhibit #1 – Board Inspector's Report				
2. Applicants Collective Exhibit #2 -TIPS/TAMS Certification of all employees		2.				

Hearing Minutes: The violation hearing was called to order with the licensees, employees involved, and officers being sworn in. Mr. Coates opened by noting that the Board had received a Report from the Liquor Board Inspector. Included in the record were an aerial photo of the premises, the compliance check history, alcohol awareness certifications, and a report from the Worcester County Sheriff's Department, all of which were submitted as evidence. Attorney Mark Cropper, representing the licensees, stated for the record that the licensees would stipulate that the violation did, in fact, occur. Himansukumar M. Patel, also known as Harry, was identified as the licensee, along with Michael Wright, the resident agent. Cropper clarified that Wright was not present on the premises at the time of the violation and only became aware of the incident after receiving a letter to appear before the Board. Harry Patel owns seventeen similar stores, sixteen of which are located in Virginia. Duck In is his only store in Maryland. His full-time manager, Deepkumar Patel, was on-site with Darshankumar Patel at the time of the incident. Cropper reiterated that they acknowledged the violation and called on Darshankumar Patel to review the Incident Report. Deepkumar Patel had been employed by Harry Patel for about three years and held managerial responsibility, including hiring, firing, and training staff. Cropper read from the sheriff's report, which stated that Deputy Shayne entered the store with the alcohol purchased during the compliance check and observed two clerks behind the counter. When asked who had sold the alcohol, Deepkumar Patel falsely claimed responsibility and apologized, citing emotional distress from a recent shooting as the reason he did not ask for ID. Upon further inquiry, Cadet Sisson re-entered the store and identified Darshankumar Patel as the person who actually completed the sale. Darshankumar Patel initially hesitated but ultimately admitted he was responsible. Both clerks confirmed the accuracy of the report. Deepkumar Patel attempted to take full responsibility, stating that as the store manager, he should have prevented the violation. However, the Board noted that his attempt to shield Darshankumar Patel appeared disingenuous. Prior to hiring attorney Cropper, Deepkumar Patel and others voluntarily performed community service, submitted as Collective Exhibit #2. Darshankumar Patel was terminated as a result of the violation. Exhibit #3, confirming that all employees were TIPS/TAMS certified, was also submitted. This was the second

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR DUCK IN – LICENSE #527
MAY 21, 2025

violation on the license. Cropper noted that ID scanners were already in place at the time but have since been updated to prevent any sales from proceeding without a valid ID. Harry Patel has implemented these scanner upgrades in all his stores. He emphasized that no other violations have occurred at his other locations, which he has operated since 2009. Commissioner Cropper asked whether the scanner could be fooled by a fake ID. Harry Patel responded that it would not accept one. Commissioner Nichols inquired about Darshankumar Patel's training. Deepkumar Patel explained that Darshankumar received four hours of training and was TIPS/TAMS certified at the time of the sale. He had only been working for ten days before the violation occurred. Deputy Shayne stood by the accuracy of his report. Commissioner Esham asked whether the location had a history of problems. Deputy Shayne responded that a prior compliance check in 2024 also resulted in a sale, making this a recurring issue. Cropper asked whether the Board recognized a language barrier in the proceedings, pointing out that Deepkumar Patel was responding for Darshankumar Patel during the hearing, as he did during the incident. Deputy Shayne agreed, stating that this mirrored the behavior observed during the violation. Commissioner Nichols asked who made the sale during the 2024 violation. Deepkumar Patel answered that he was the manager but not the individual who made the sale. That clerk was also terminated. Commissioner Esham emphasized that it is the licensee's responsibility to ensure that someone fluent in English is present at the point of sale. After a brief recess, the Board found that the violation did occur on March 25, 2025, and Mr. Cropper made a motion to impose a \$2,000 fine and suspend the license for two weeks, with the store allowed to reopen on June 4th, contingent upon payment of the fine before reopening. Commissioner Nichols seconded the motion. The motion carried.

Motion:	1st	Mr. Cropper	2nd	Mr. Nichols	Approved:	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
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Restrictions: BOARD FOUND THAT A VIOLATION DID OCCUR BOARD ISSUED A \$2,000 FINE TO BE PAID IN CASH OR CERTIFIED FUNDS PRIOR TO SUSPENSION BEING LIFTED BOARD ISSUED A SUSPENSION EFFECTIVE AT 6 P.M. ON MAY 21ST, 2025 AND THE PROPERTY MAY BEGIN SALES OF BEER AND WINE AT 9 A.M. ON JUNE 4TH, 2025

Time Hearing Ended: 2:45 P.M.

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR OAKED AT THE GLOBE – LICENSE #908
MAY 21, 2025

Members Present:	William E. Esham, Jr., Chairman	X	R. Charles Nichols	X	Marty W. Pusey	<input type="checkbox"/>
	Alternate Board Member: Reese Cropper, III	X				
Staff Present:	April Payne, Administrator	X	Ian Cameron, Inspector		X	
	Thomas K. Coates, Esq., Board Attorney	X	Alternate Board Attorney: Name: Hank Fisher, III		X	
	Donna Hughes, Liquor License Specialist	<input type="checkbox"/>	Kelly Henry, Technical Services Manager		X	
Alternate Liquor License Assistant: Name: Maria McVey			Valarie Dawson, Court Reporter		X	
License #:	908	Hearing Date:	May 21, 2025		Time Hearing Started:	2:45 P.M.
Class:	"B"	Type:	B/W/L		Day:	7 Day
For: Oaked at The Globe, LLC		T/A: Oaked at The Globe, LLC		Address: 12 Broad Street, Berlin		
New Application:	<input type="checkbox"/> Yes	Transfer:	<input type="checkbox"/> Yes	Meeting:	<input type="checkbox"/> Yes	Violation: X Yes
Items to be discussed: Violation of Alcoholic Beverages Article, 4-109 (b) (2) (Inspection) Violation of the Board's Rules & Regulations – Rule 30						
Applicants:	<input type="checkbox"/>	Licensees:	X		Representative:	
1. Jason A. Welch						
2. Joseph Brittingham						
Witnesses:			Protestants:			
1. Montes Green			1.			
Exhibits:			Exhibits:			
1. Licensee's Exhibit #1 - Charles Chaz Smith Statement			1. Board's Exhibit #1 – Liquor Board Inspector's Report			
<p>Hearing Minutes: The licensees, along with their witness, Montes Green, appeared before the Board for the items The applicants were sworn in. The hearing began with Coates confirming that all board members had received Board's Exhibit #1, the Liquor Board Inspector's report. Coates asked if the Board had any questions for Inspector Ian Cameron. Mr. Nichols stated he had no questions. Coates then allowed Welch to present the licensee's side of the events. Welch began by offering a written statement from a witness who could not be present. Coates advised that the letter would be entered into the record as Licensee's Exhibit #1 but would not be considered evidence, as the author could not be cross-examined. Welch then called Green, a staff member involved in the incident, to testify. Green explained that during an all-ladies event at The Globe, he saw a man enter and proceed upstairs. As the event was designated for women only, and Green was stationed by the stage per prior instructions from the March meeting, he followed the man. He encountered him standing behind a group of women and asked him to leave. Green inquired who he was, but the man—later identified as Inspector Ian Cameron—did not provide identification and refused to comply. Green instructed him to go downstairs where a manager could assist him. Cameron allegedly declined and stated that Green was interfering with his duties. According to Green, Cameron then grabbed his wrist. Green shook him off, and a minor physical altercation occurred before Cameron exited the building. Welch clarified that the event had officially ended around 8:30 p.m., and Green was merely performing his assigned duties. He emphasized that signage at the venue clearly indicated it was a private event and that guests were to wait to be seated. Mr. Cropper questioned why Green did not allow Cameron to proceed once he identified himself. Welch insisted that Cameron did not show identification and only claimed to be with the Liquor Control Board after being repeatedly confronted. Green affirmed that no ID was shown, and that the situation could have been avoided had proper identification been presented. Mr. Esham asked if the licensee was suggesting the Inspector's report was inaccurate. Welch confirmed this was their belief. Inspector Cameron then testified. When asked by Coates whether he provided identification, Cameron admitted he did not show his ID, claiming the upstairs area was too dark for it to be visible. He also stated that Green never asked for it. Cameron claimed he verbally identified himself</p>						

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS
MINUTES FOR OAKED AT THE GLOBE – LICENSE #908
MAY 21, 2025

but was not carrying a badge. He added that no one was stationed at the door when he entered. Mr. Nichols asked Cameron what time he entered. Cameron said it was around 8:30 p.m. Nichols asked if the show was still ongoing. Cameron confirmed it was. Welch presented timestamped photos and videos showing that the event had ended and the building was empty by 9:14 p.m. Mr. Esham asked whether anyone on site knew who Cameron was. Welch replied that no one did, including Green. When asked whether a manager was present, Green explained that the manager, Taylor, had been present most of the evening but had briefly stepped outside to move her car. Welch described the arrival of Sgt. Bissman from the Worcester County Sheriff's Office. Sgt. Bissman recognized Cameron and calmly escorted him back into the venue so he could complete his inspection. This part of the incident, according to Welch, was peaceful and clarified the misunderstanding once Cameron's identity was verified by a third party. Welch added that once the conflict began, he and his team offered to go find the manager. He emphasized that in today's environment, it is not prudent to accept someone's word alone; had Cameron simply shown ID, the entire situation could have been avoided. Mr. Cropper asked Welch if he had known that someone would be sent to verify compliance with April's meeting discussion. Welch affirmed that he did and had no issue with the visit—in fact, he had suggested it. Mr. Esham responded, "So we did." Coates then asked Cameron when he first saw a manager—inside or outside the premises. Cameron responded that the first manager he saw was after he exited the building. When Coates asked how long he had been outside before seeing the manager, Cameron said he immediately called his supervisor, Ms. Payne, and within one to two minutes, Berlin Police arrived. After speaking to them for two to three minutes, a female manager pulled up behind the patrol car in her vehicle and identified herself. Coates noted that the licensee previously stated the manager was by the bar the whole evening. Welch confirmed she had been on-site all night. Coates inquired why she arrived in her car if she had been present. Green explained that she had parked away from the building and was simply moving her car closer. Coates observed that during the confrontation between Green and Cameron, the manager was offsite, albeit briefly. Green added that before the situation escalated, Taylor had seen the man go upstairs, instructed Green to keep an eye on him, and was only gone for approximately two minutes. Nichols questioned how Taylor could have seen Cameron enter if she was not on-site. Green reiterated that she had seen him arrive and then stepped out. Nichols pointed out that Taylor was not present at the hearing. Welch stated that she was unable to attend. Coates asked why the manager would leave if a compliance check was expected. Welch stressed that she wasn't leaving but momentarily relocating her vehicle. Welch also reiterated that Cameron allegedly used foul language, grabbed Green, and failed to show ID. He suggested that too much attention was being placed on the brief moment Taylor moved her car. Mr. Cropper questioned Welch's leadership, asking how a manager could step away during such a situation. Mr. Esham acknowledged that Cameron did not carry a badge and that verbal identification might have been sufficient—but stated Green should have gone to get a manager. Welch defended Green's caution, saying that his staff treats all such cases seriously and that just as they don't take someone's word about being 21+, they verify ID to avoid license violations. Cropper asked if Welch had informed his staff that a compliance visit might occur. Welch said no, explaining he did not want his staff to behave differently because of it. Cropper disagreed, stating he would have notified staff. Welch said he trusts his staff to act appropriately regardless of inspections. Coates then called Sgt. Bissman for his statement. Sgt. Bissman reported that Ms. Payne had asked him to check on the premises during his duty on Sunday, the 30th. He found everything in order. On Monday, the 31st, he went to The Globe after hearing about the incident. He arrived at 20:42 and saw the Berlin Police already there. Not intending to interfere with their investigation, he advised Cameron that he was recording via body cam and asked him to recount the incident, which was documented in his report. At 20:59, a white male in a white hoodie approached him, identified himself as Welch, and accepted responsibility for the situation. Coates asked the Board if they had any questions for Sgt. Bissman. Mr. Esham asked Cameron if Green had put his hands on him. Cameron said yes and elaborated that during a heated conversation; he had extended his hands in a calming gesture. Cameron said he had asked Green multiple times to call the police or a manager, and that Green refused to leave him upstairs alone. Cameron claimed Green pushed his left hand and shoved him into a table. Esham asked if Cameron had verbally identified himself as an Inspector. Cameron said he had done so multiple times. Esham remarked on the conflicting stories. Coates asked Green if Cameron had thrown a punch, referring to a written statement provided by Mr. Welch of another bartender at

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MINUTES FOR OAKED AT THE GLOBE – LICENSE #908
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the property that night alleging such. Green denied it, stating Cameron only grabbed his wrist. Coates noted the written statement from another bartender, who was not present at the hearing, mentioned a punch, which Green refuted. After reviewing all statements, Mr. Esham remarked that Cameron insisted on the manager coming upstairs to him rather than going downstairs to find her. Welch stated that moving forward, he would ensure all of his staff show physical ID to staff—and requested the same standard from the Board. Mr. Esham asked Cameron if he had ID at the time. Cameron said he had both his ID and business cards. Esham asked Green why he didn't request to see it. Green replied by questioning why Cameron didn't offer it. Coates asked if Cameron had his ID out upon entry. Cameron said it was in his pocket, ready to be shown. Coates then announced that the Board would move into a closed session for deliberation. Upon returning, based on the testimonies and relevant regulations, Mr. Cropper made a motion that a violation did occur on March 31, 2025, and for a Letter of Reprimand to be issued. Mr. Nichols seconded the motion. Mr. Esham reminded the licensee that, while the letter may be the mildest disciplinary action, it still constitutes a recorded violation.

Motion:	1st	Mr. Cropper	2nd	Mr. Nichols	Approved:	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
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Restrictions: THE VIOLATION HAS BEEN MADE A PART OF THE FILE FOR THE ESTABLISHMENT

Time Hearing Ended: 3:41 P.M.