

The Board of License Commissioners of Cecil County met in a regular session at the County Administrative Building, Conference Room, 200 Chesapeake Boulevard, Elk Room, Elkton, MD on Wednesday, October 26, 2022, at 9:15 A.M.

PRESENT: Stephen Miller, Chairman
Kristen Ortt, Commissioner
Bernard Chiominto, Commissioner
Lawrence Scott, Board Attorney
Earl Bradford, Chief Alcoholic Beverage Inspector
Robin S. Trader, Administrative Assistant

At 9:15 AM, Chairman Stephen Miller called the Board of License Commissioners Meeting to order; he asked everyone to stand for the Pledge of Alliance to the Flag. He asked that anyone who was testifying today please stand and be sworn in by the Clerk.

APPLICATION NEW

Application received from Pragnesh Jayant Patel, President; Shree Jee Ganesh, Inc., 2815 North East Road, North East, MD 21921 for issuance of a new Class "A" Beer, Wine & Liquor Alcohol Beverages License

Pragnesh Patel appeared before the Board with attorney, Robert Jones. The applicants were duly sworn by the Clerk. The fully executed application packet with proper fees included: signatures of 10 registered voters and property owners in District 5. The legal notice was posted October 14 and 19, 2022.

Mr. Scott asked if the questions that were answered on the application were the same today as when they answered; Mr. Patel stated yes.

Mr. Jones stated they have submitted an application for a new license; the laws encourage growth and competition; the alcoholic beverages law also encourages growth and competition because there are licenses available. He then asked Mr. Patel to tell the Board about himself; Mr. Patel stated he is married with two children; in 1991 he, along with his dad and partners acquired the business at 2915 North East Road. He was in the US Navy from 1993 through 1997. Upon his honorable discharge from the military,

he became manager of the business; it is a CITGO gas station with deli, groceries, candy. He later bought out the other partners and is presently the sole owner of the business. He estimated that 70% of his customers are local and about 30% travelers. He stated the competition has changed as there is a Dollar General next door and that has taken much of his grocery business away. Mr. Jones asked if customers have asked him to sell alcohol; Mr. Patel stated over the past several years several people have asked. He stated his plan is to renovate inside and possibly in the future utilize the property behind the building and expand, there is about .96 acres total.

Ann Jackson testified on behalf of Mr. Patel; she stated she has been a customer since 1997. She has always known Mr. Patel to have integrity, be a high-principled person and she believes he would not operate the business any differently than he is right now.

Mr. Patel stated that during the sporting events at Calvert Park, they have their own food vendors, he has lost a lot of business to this when they hold tournaments, events, etc; customers may stop in for a last-minute energy bar or sports drink, but the park has their own vendors. Commissioner Chiominto asked if Calvert Park had a no alcohol rule; Mr. Patel replied that is correct. Commissioner Ortt asked Chief Bradford if there were plenty of licenses available; Chief Bradford stated yes, though there are none within a two-mile radius.

Mr. Scott asked if there was anyone present who would like to speak for or against this license; hearing none, he asked Mr. Patel what the square footage of the building is now; Mr. Patel stated 50' x 44'; Mr. Scott stated the premises is not allowed to become a big liquor store. Mr. Scott then asked about the time period to build, that it could be an issue if the license is approved and not utilized. Mr. Patel stated he would make some accommodations and utilize the license immediately.

With no further questions, Chairman Miller called for a motion.

Commissioner Chiominto made a motion to approve the request from Pragnesh Jayant Patel, President; Shree Jee Ganesh, Inc., 2815 North East Road, North East, MD 21921 for issuance of a new Class "A" Beer, Wine & Liquor Alcohol Beverages License; Commissioner Ortt seconded

that motion and the Board unanimously voted to approve the request from Pragnesh Jayant Patel, President; Shree Jee Ganesh, Inc., 2815 North East Road, North East, MD 21921 for issuance of a new Class “A” Beer, Wine & Liquor Alcohol Beverages License.

Application received from Theresa Moskunas, Lee’s River Road LLC, T/A Captain Lee’s Restaurant, 31 River Road, Perryville, MD 21921 for issuance of a new Class “B” Beer, Wine & Liquor Alcoholic Beverages License

The applicants were duly sworn by the Clerk. The fully executed application packet with proper fees included: signatures of 10 registered voters and property owners in District 5. The legal notice was posted October 14 and 19, 2022.

Applicant Theresa Moskunas appeared before the Board with attorney, David Mister and John Vontran.

Mr. Mister stated they are continuing to develop the site at 31 River Road, Perryville; he stated it is on the water and hoping to attract customers land base and by water. He continued that their rule is all servers are to be alcohol awareness trained and that everyone gets carded; their servers are reminded of this at weekly training sessions. Hours will be 11 AM – 10 or 11 PM and will definitely be customer driven, as the winter months the hours may need to be modified. Mr. Mister asked Ms. Moskunas “You’re mindful of the fact that anyone who might be within a reasonable distance from a residential location that you’re going to be mindful trying to keep down noise and things like that, particularly in the evening hours. Is that correct?” Ms. Moskunas stated that is correct. Mr. Mister then stated, “You do hope to be able to have some entertainment there, though. Is that correct?” Ms. Moskunas answered, “Yes, that would be a great draw for a special water for a restaurant.” Mr. Mister asked Mr. Vontran is he had anything to supplement. Mr. Vontran stated that “I met with the community about a month ago for support of the liquor license being issued there, and Board has a letter signed by the mayor of the town. We’re at the point with development that we are in the town’s schedule for planning in November the process is a little different up here. You’ve got to go through a town process, then you go through the county process soon as we’re done with

the county, but the town process, our plans will be submitted to the county for building approval. We want to make this a destination point; we've invested just shy of a million dollars and all totaled will be just south of three million dollars."

Mr. Scott stated that "This Board gets many complaints over the course of a year, especially with the restaurants that are associated with marinas, mostly because they're located close proximity to residential areas. And we had a situation recently where we had to put restrictions. The Board had to put restrictions on the outside live music on a particular operation and that's mostly because the community complained vehemently and repeatedly. And this Board puts a very high price and value on good neighbor relationships and so, as you discussed entertainment, we know that that is important, and a revenue producer for these types of establishments, and we respect that we just would like to remind you and your whole operation to please be very cognizant of your greater community. And the last thing we would want to do is get complaints and then we would have to act. And so, it would be much better if you were able to solve and be neighborly during the process which I assume you would be but just wanted to make a reminder."

Mr. Mister stated, "They are very mindful of that sensitive to it, and the other locations where Ms. Moskunas has managed and served at similarly situated water, residential area. Even the Bay Cafe in Inner Harbor there are large residential high rises very nearby, and with Tiki Lee's in the Baltimore harbor area, and at least Tiki lease, which is in a residential community Fells Point Baltimore County. They know that there's people living nearby, and they're sensitive to that hopefully we wouldn't have to be back here with complaints."

Mr. Vontran stated "Mr. Chairman we would recommend, we would actually accept a recommendation about live entertainment, and have live music at night time. If you recommend the time that we should stop, we will really welcome that advice from the board."

Mr. John Bailey stated he has worked on the Baltimore City Police; he spoke of his experience with drunk drivers and their tendency to speed.

His concern is that this be safe for people who go there, as well as the people who live there.

Mr. Mister stated he represents Tiki Lee's and Bay Café; Tiki Lee's has never been sanctioned; their clients particularly are of concern; they are very mindful of safety and will hire security. If there are any problems in the future, he asks the Board to use their power and the community to reach out to his clients. He asks that Board give them a chance.

Mr. Scott asked if there's anyone present to speak for or against this license; hearing none, he turned the meeting over to the Board.

Commissioner Ortt made a motion to approve the request from Theresa Moskunas, Lee's River Road LLC, T/A Captain Lee's Restaurant, 31 River Road, Perryville, MD 21921 for issuance of a new Class "B" Beer, Wine & Liquor Alcoholic Beverages License conditioned upon giving the Board a status report in six months and the current license being dissolved; Commissioner Chiominto seconded the motion and the Board unanimously voted to approve the request from Theresa Moskunas, Lee's River Road LLC, T/A Captain Lee's Restaurant, 31 River Road, Perryville, MD 21921 for issuance of a new Class "B" Beer, Wine & Liquor Alcoholic Beverages License

TRANSFER

Application received from Kishan Singh, Kapil Persaud, Matthew Price Trainer; Dost Matori Group LLC, 2360 Pulaski Highway, North East, MD 21901 for transfer of Class "B" Beer, Wine & Liquor Alcoholic Beverages License No. B-15 from Matthew Price Trainer, EMK Investments, LLC, 2360 Pulaski Highway, North East, MD 21901

The applicants were duly sworn by the Clerk. The fully executed application packet with proper fees included: signatures of 10 registered voters and property owners in District 5. The legal notice was posted October 14 and 19, 2022.

Kishan Singh and Matthew Trainer appeared before the Board with attorney, Dwight Thomey. Mr. Thomey stated the other licensee has Covid and is unable to attend. Mr. Scott asked if anything has changed since they signed the application; the applicants stated no. Mr. Thomey stated

he represents the buyers; they are faced with the decision of an extensive rehab of the existing building or tearing the building down and rebuilding, but before they take on this tremendous debt they need to ensure there will be a liquor license in the end. He stated Mr. Singh has a restaurant on Belair Road in Perry Hall called Taste of Taj. Mr. Thomey stated they have not decided on a menu. He continued that the location won't disturb the neighborhood and their plan is to bring it back to what it was. He stated the staff will be properly trained in alcohol awareness, but he said with the world being what it is, they are unsure how long they are looking at for them to make any progress. He once again stated that they need to ensure the license is there in the end.

Mr. Scott stated in my two years here, working with the liquor Board. We've had a couple occasions to deal with similar issues, mostly because of Covid, where businesses were being renovated, and we've had labor shortages, and then you didn't have customers. It's what I've said earlier is that we as a Liquor Board, have a responsibility to make sure that liquor licenses that are given out are being utilized. And so, when we give one out kind of on the come, you know we have to take a certain interest. It's almost like a partnership where we have to have confidence that you're going to deliver. And you know what we look at in trying to determine whether we would choose to be partners that we believe you'd be able to um make good on what you say. You're going to do, So Do you have the proper amount of investment money? Did you get your will? You get your bank loan. Um! What is your pro forma look like? Things almost as if an investor was looking at it because our interest is that we don't want to go through this and have you start the process, and in one year you've made very little progress and come back, and then we are in a very awkward position of deciding whether or not to give you an extension or not. And so we know we're very aware that if we don't give you an extension, it would probably cause a project to immediately fail, just because the bank would probably call their noted right. So, we don't want to be put in that awkward position, and we are in that awkward position in some other cases. And so where you're asking us to bet on you to take a risk on you. Um! That you are going to be able to deliver in a timely way. We're very aware that the liquor license needs to come first to get a bank loan, and we're sensitive to

that, and we're not in the past. The board has not been opposed to doing that it it would not be a contingent. You would get a liquor license you just wouldn't be able to use it until you had a building that was you got to use an occupancy to be able to open and operate. So, this is just a small part of your overall challenge that you have to do. But I just want to make you aware that we're not a silent partner; that there are obligations that you have to do and being timely is one of them. And if again I warn you, I try to make applicants aware. Please do not surprise the Board that if you come back in six months for a update that there's been no progress. If we're hitting on no progress, Please come. Tell Earl about the challenges that you have. We want you to be successful, but if you hit challenges, it'd be much better to come. Tell us, and as opposed to put the board in a very awkward position of having to decide whether to take away the license, because there's been no progress so just wanted to be very transparent. Of how this board has operated in the past understood.

Chairman Miller asked Miss Ortt any questions?

Commissioner Ortt: I have no questions, but we need a good Italian restaurant in North East.

Chairman Miller: Mr. Chiominto?

Commissioner Chiominto: I have no questions

Chairman Miller: Mr. Bradford.

Chief Bradford: No questions.

Okay. I want to obtain a motion,

Mr. Scott: Is there anybody in the audience who would like to speak for or against this applicant, this application? Seeing none, I turn it back over.

Commissioner Ortt: I make a motion that we approve the application received from Kishan Singh, Kapil Persaud, Matthew Price Trainer; Dost Matori Group LLC, 2360 Pulaski Highway, North East, MD 21901 for transfer of Class "B" Beer, Wine & Liquor Alcoholic Beverages License No.

B-15 from Matthew Price Trainer, EMK Investments, LLC, 2360 Pulaski Highway, North East, MD 21901 conditioned upon settlement occurring.

Commissioner Chiominto: Second

And the Board unanimously approved the application received from Kishan Singh, Kapil Persaud, Matthew Price Trainer; Dost Matori Group LLC, 2360 Pulaski Highway, North East, MD 21901 for transfer of Class “B” Beer, Wine & Liquor Alcoholic Beverages License No. B-15 from Matthew Price Trainer, EMK Investments, LLC, 2360 Pulaski Highway, North East, MD 21901 conditioned upon settlement occurring.

Application received from James A. Wilson, Thomas Wood, Andrew Pence, Skipjack Cove Partners, LLC, T/A Skipjack Cove, 150 Skipjack Road, Georgetown, MD 21930 for transfer of Class “B” Beer, Wine & Liquor Alcoholic Beverages License No. B-3 from Mark F. Muething, President; James A. Wilson, Vice President; Richard Lauser, Assistant Secretary; Skipjack Marina Corporation, T/A Skipjack Cove Yachting Resort, 150 Skipjack Cove Road, P.O. Box 208, Georgetown, MD 21930

The applicants were duly sworn by the Clerk. The fully executed application packet with proper fees included: signatures of 10 registered voters and property owners in District 1. The legal notice was posted October 14 and 19, 2022.

James A. Wilson, Thomas Wood, Andrew Pence and Fred Bohn appeared before the Board with attorney Dwight Thomey.

Chairman Miller: We have an application received from James A. Wilson, Thomas Wood, Andrew Pence, Skipjack Cove Partners, LLC, T/A Skipjack Cove, 150 Skipjack Road, Georgetown, MD 21930 for transfer of Class “B” Beer, Wine & Liquor Alcoholic Beverages License No. B-3 from Mark F. Muething, President; James A. Wilson, Vice President; Richard Lauser, Assistant Secretary; Skipjack Marina Corporation, T/A Skipjack Cove Yachting Resort, 150 Skipjack Cove Road, P.O. Box 208, Georgetown, MD 21930.

Mr. Scott: Good morning again. If everyone could please speak into the microphone, you can pull it towards you if you need to say your full name, and where you reside.

Mr. Bohn: My name is Fred Bohn. I reside in Dover, Delaware. I'm. Employed by Skipjack Cove Marina and I'm the restaurant manager,

Mr. Pence: Andrew Pence. I live at 4213 Leland Street in Bethesda, Maryland, 20815 and I work for the company that recently acquired Skipjack Cove Marina, called Monument Marine Group,

Mr. Wood: Thomas Wood. I live at 3100 North Nelson Street in Arlington, Virginia. I also work with Monument Marine Group, the new owner of Skip Jack Cove.

Mr. Wilson: My name is James Wilson. I live at 75 Schoolhouse Lane, Georgetown.

Mr. Scott: And since this application was submitted to the liquor board, has there been any changes, or would you like to update it in any way.

Applicants: No, sir

Mr. Scott: All right. I turn it back over to you, Chairman

Chairman Miller: Tell us all about it. Okay, Fred, how do you spell your last name.

Mr. Bohn: B. O. H. N.

Mr. Thomey: And you have been the restaurant manager for Skipjack Cove for how long?

Mr. Bohn: Five years

Mr. Thomey: And you've never had any problems, violations, or license, or any other problems during the time you've run the business.

Mr. Bohn: No, sir;

Mr. Thomey: And those people that are serving alcohol at the restaurant have all had the appropriate training to do so. Is that correct?

Mr. Bohn: Yes, uh, about seventy percent of my employees are tips certified. We work on getting them all, but they're seasonal, and the classes are hit and miss, so we don't get all of them. But my bartenders are, I am, and like three of my servers.

Mr. Thomey: And you will continue to be the restaurant manager, and your intent is to continue to operate the restaurant the same way it's been run over the years. Is that the same way, Andrew, you're part of the investment. A group that acquired the Marina and the restaurant as a part of the Marina correct; and again, the intent is to allow the restaurant to continue to be operated in the same fashion as it's always been operated by the same people that have always operated it. Is that correct?

Mr. Bohn: Yes

Mr. Thomey: And you understand your responsibilities as license holders. If anything goes wrong, you're responsible for those violations.

Mr. Bohn: Correct, We understand.

Mr. Thomey: I don't need to make it complicated. I would just maybe perhaps, and or you could expand on the what their plans are, and the amount of investment that is going into this project. What brings you to town?

Mr. Pence: Yeah, absolutely we actually own two properties in the Northeast. We've acquired six marinas over the past twelve months, all in the mid-Atlantic area. Skipjack Cove is our most recent investment, and this is part of a larger strategy to try and buy one hundred marinas and invest in the local community. Specifically through the Marina and kind of engage with local residents through our ownership of Marinas, and ultimately invest in improvements to improve the overall appeal of the Marina. And so, we've we acquired McDaniel and Shelter Cove Marinas in North East. We've invested about approximately seven hundred and fifty thousand dollars to a million dollars to date in both of those marinas in upgrading the facilities, and we have plans to spend another roughly one to two million dollars to continue in in those improvements, and Skip Jack

Cove will be very similar. We have roughly a two-million-dollar capital plan to renovate restrooms, upgrade the docks, address some of the deferred maintenance items. And so just trying to be good stewards of these marinas and keep occupancy high and keep the local community coming to the facilities

Mr. Scott: With that much investment, capital investment going in what's your plan to recoup that investment? Is it to have a higher occupancy among slip rentals.

Mr. Pence: Yes, yeah, exactly higher occupancy, but also driving all different kinds of revenue sources. So, with higher occupancy, an ecosystem effect where you can drive service, you can bring potentially retail. You can lure restaurant tours to want to come to the site if there isn't an existing restaurant. So the game plan is primarily focused on the boater, but also creating an ecosystem to help drive that boat or so.

Mr. Thomey: Are you going to brand all of the establishments that you're buying under one banner, or you keep the individual names, or yet to be determined as of now.

Mr. Pence: The plan is to individually brand, and you know whether that changes over the years we haven't fully flesh that out. But really for us, it's trying to meet the boater in the community where they are, and not apply you know single brand to our marinas. We will own, you know, our goal is to own marinas is up and down the east coast, but we're based in the in Washington, DC and so this is the mid-Atlantic region is really our backyard, so to speak.

Mr. Thomey: I was attorney for Mr. Jackson, of Shelter Cove for many, many years from when he started to when he retired, and I can tell you it's an interesting business, but it's not just owning a marina, I mean, then you get ancillary businesses. You get boat repair businesses. He had an insurance business for insuring the boats. He would buy and sell boats he had at that operation. So, there's lots of ancillary income sources that you can generate from a well-run marina and I'm sure these guys probably are aware of that and have all that just want to make sure you're successful.

Mr. Thomey: I'm pleased. This happened because the people that originally bought Shelter Cove and train to Marina didn't know what they

were doing. I knew those people from Florida. There were a lot of complaints and now we have people that are actually here in this area, and seem to have some idea what they're doing with the Marina. So I'm pleased that this is happening Frankly, A lot of time and attention has been spent on those two in particular.

Mr. Scott: My only warning is that you don't open up a Merriweather Post type pavilion, an entertainment facility other than that. We're very excited to have you in town.

Mr. Bohn: Thank you.

Chairman Miller: I'm a bass fisherman in the northeast, and I was shocked the last several years how empty the marinas were.

Mr. Thomey: Yeah, he had no clue how to operate.

Chairman Miller: It was great for fishing. There were no boats.

Mr. Thomey: That was a construction guy out of Florida. Why, he thought he could own and operate a marine in Northeast Maryland. Had no idea what he was dealing with.

Chairman Miller: Okay? Mr. Chiominto any questions?

Commissioner Chiominto: No, sir

Chairman Miller: Ms. Ortt?

Commissioner Ortt: I have no questions

Chairman Miller: Mr. Scott

Mr. Scott: No questions

Chairman Miller: Mr. Bradford?

Chief Bradford: No questions.

Chairman Miller: I want to obtain a motion.

Mrs. Trader: This would be conditioned upon the bulk sales permit,

Mr. Scott: Is there anyone in the audience who would like to speak for against this application?

Mr. Thomey: They've submitted their bulk sales permit.

Commissioner Ortt: I move to approve the application received from James A. Wilson, Thomas Wood, Andrew Pence, Skipjack Cove Partners, LLC, T/A Skipjack Cove, 150 Skipjack Road, Georgetown, MD 21930 for transfer of Class "B" Beer, Wine & Liquor Alcoholic Beverages License No. B-3 from Mark F. Muething, President; James A. Wilson, Vice President; Richard Lauser, Assistant Secretary; Skipjack Marina Corporation, T/A Skipjack Cove Yachting Resort, 150 Skipjack Cove Road, P.O. Box 208, Georgetown, MD 21930

Chairman Miller: Do I hear a second?

Commissioner Chiominto: Second

Chairman Miller: All in favor say aye

Board: Aye

Chairman Miller: Congratulation

General Business

- Approve Minutes
Commissioner Ortt made a motion to approve the minutes from the September meeting; Commissioner Chiominto seconded that motion, and the Board unanimously approved the September minutes.
- Specials

Old Business

- Training – Chief Bradford stated we held our Identity Fraud Training, and 13 licensees were represented.

Chairman Miller stated he would entertain a motion to adjourn;
Commissioner Chiominto made a motion to adjourn, Commissioner Ortt

seconded that motion and the Board unanimously voted to adjourn the October meeting.

BY:

Stephen Miller, Chairman

ATTEST:
Robin S. Trader, Administrative Assistant