

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, June 29, 2022, at 9:15 A.M.

PRESENT: Stephen Miller, Chairman
Kristen Ortt, Commissioner
Bernard Chiominto, Commissioner
Lawrence Scott, Board Attorney
Justin Hill, Staff Attorney
Rebekah Corle, Risk Manager/Legal Tech
Earl Bradford, Chief Alcoholic Beverage Inspector
Robin S. Trader, Administrative Assistant

Chairman Miller: Good morning, ladies and gentlemen, I call to the meeting to order, this is Cecil County Board of License Commissioners meeting for June 29, 2022, on Wednesday, the first order of business is to anyone who is testifying today, please stand be sworn.

Mrs. Trader: Do you solemnly promise and declare that the evidence you are about to give in the matter now pending before the Board of License Commissioners shall be the truth and nothing but the truth?

All: I pledge allegiance to the flag of the United States of America and to the Republic for which it stands one nation under God indivisible with liberty and justice for all thank you.

NEW LICENSE continued

Application received from Richard Lynn Cunningham, Jr., EMH Presents, LLC, T/A Elkton Music Hall, 107 North Street, Elkton, MD 21921 for issuance of a new Class "D" Beer, Wine & Liquor Alcoholic Beverages License

Richard Cunningham, Jr., and Kathleen Salisbury appeared before the Board with attorney, Robert Jones. Mr. Scott asked them to introduce themselves and state their addresses.

Mr. Jones: Robert Jones, 157 E. Main Street, Elkton, MD; he is representing the applicants Richard Cunningham, Jr. and Kathleen Salisbury.

Mr. Cunningham: Richard Cunningham, Jr. 75 Center Road, Earleville, MD

Ms. Salisbury: Kathleen Salisbury, co-owner and residing at the same address as Richard.

Mr. Scott: Has anything changed in the application since you submitted it?

Mr. Jones: No changes, we have updated the information as requested with a letter from the Town of Elkton, as well as a copy of the resolution.

Mr. Scott asked if they've spoken with Elkton Police Department in reference to having 200-300 patrons?

Mr. Jones stated that right before Covid hit, the Town of Elkton has been rezoning North Street and Main Street as the Arts & Entertainment Center with restaurants, breweries, and the music hall just fits nicely into that. Elkton Police Department has said there is more than adequate parking. There is a letter dated 4/22 from the Town of Elkton, he would like to move that into evidence.

Chairman Miller asked if they have had a conversation with Elkton Police Department (EPD) regarding having 200-300 people every week; he would like to see a letter on EPD letterhead stating they have no issues with this.

Mr. Jones stated he will speak with the mayor to have a letter on EPD letterhead. Mayor Robert Alt appeared. Mr. Alt was duly sworn by the Clerk.

Mr. Jones asked Mr. Alt to state his name and address; he then asked if Mr. Alt was familiar with the application; Mr. Alt stated yes. Mr. Alt stated the town has been working to revitalize the downtown area to Arts & Entertainment area with restaurants, breweries, etc and he feels that this is a perfect venue for music and fits into the A&E area. When asked about parking, Mr. Alt stated there is satellite parking behind the property, there is municipal parking behind main street and more parking along the street. He stated is 200 yards from EPD and no safety issues. He stated that

even with Elk River Brewing, C3ntral Restaurant and new sushi restaurant coming, 10-1030 the lights go out and it is very quiet downtown.

Mr. Scott asked if they have discussed this and gotten the authorization from law enforcement? Mr. Jones stated EPD is under the authority of the mayor and council. They have discussed this with the Board of Zoning; “if you’re asking if I sat down and had a conversation with Chief Allen, I have not. I have heard zero concerns.” Mr. Alt stated there are 50-55 sworn officers, 12 per shift.

Commissioner Chiominto asked “have you looked into private security?”

Mr. Cunningham stated he is looking into private security; he said they will be pre-sold events, so they will play that out accordingly.

Commissioner Chiominto asked about checking IDs; Mr. Cunningham stated they will have a system in place.

Mr. Scott: A Class D liquor license does not permit anyone under the age of 21 on the premises, are you aware of that?

Mr. Cunningham stated he is aware of that.

Chairman Miller asked if there was anyone in the audience for or against this proposal; hearing none, he asked for a motion.

Commission Ortt: I move to approve the application received from Richard Lynn Cunningham, Jr., EMH Presents, LLC, T/A Elkton Music Hall, 107 North Street, Elkton, MD 21921 for issuance of a new Class “D” Beer, Wine & Liquor Alcoholic Beverages License with a letter of support from EPD.

Commissioner Chiominto: Second

Chairman Miller: All in favor

All Board: Aye

Chairman Miller: Against? The application has been approved, Congratulations.

MEET MARYLAND RESIDENT

Class “D” BWL No. D-108 - Larry McElroy, President/CEO; Neil Rozek, Vice President; The Golden Mule LLC, T/A The Golden Mule, 1809 Conowingo Road, Rising Sun, MD 21911

Larry McElroy and Neil Rozek appeared before the Board; they were duly sworn by the Clerk. Mr. McElroy stated his former business partner opted out of the business and Neil is his new partner. Mr. Scott asked if he held any percentage of ownership; Mr. McElroy stated 10% of the LLC. Mr. Scott asked if the form he completed was true and accurate and Mr. Rozek stated yes. With no further questions, Chairman Miller thanked them for coming in today.

UPDATE/REQUEST FOR EXTENSION

Class “B” BWL No. B-187 - Vincent Monterosso and Irma Mendoza, Taco Master & Bar LLC, T/A Taco Master & Bar, 239 South Bridge Street, Unit 5, Elkton, MD 21921

Chief Bradford read an email from Mr. Monterosso.

“I spoke with Earl about the meeting. My wife is expecting a baby any day now, so I am not able to attend the meeting for Taco Master and Bar. He said to type up a recap of the past couple months and the delays etc. for construction and where we are now.

The construction process started late last September right after the flood. The flood was the first hurdle. We had to wait a few weeks to get both insurance (flood and building) company adjustors out there to take pictures and figure out the scope of the damage. This took a while. With all the damage in the area they sent adjustors from MO to come and take the assessment. That took until mid to late October. With the damages we were replacing the ceiling tiles and tracks. The electrical inspector came in for an inspection during this time and made me upgrade all the wiring in the two units to MC cable (metal electric cable). Since this is a restaurant, they wanted the upgrade done even though it was an existing unit. So, because of the damages from the flood this was then a required change which had to go back to the insurance company under a coverage I have in my policy for city ordinance. This again took some time to get through the insurance process but once that was done and the work took a few weeks this

pushed us into late December. At that time, we were able to kind of restart where we were starting before which should have been maybe three months. In 2022 there have just been some delays with the materials and getting equipment on hand due to covid and some labor shortages with the subs. We are pretty much through all that now. As of today, the flooring and ceiling tiles should be done today. The painter is lined up to start this week or next week. Then we just need to set the bathroom fixtures, trim and bring in the restaurant and bar equipment. All the equipment and tables are on hand already so there shouldn't be any further delays waiting on those items now. Final electrical inspection has been called in and once the two bathrooms are setup, we will be able to get the final on the building. Projection is mid to late July to open.

Menus are ready and staffing is started to be assembled as well so that once everything is done construction wise, we are ready to train and get opened quickly. “

Chief Bradford stated they hope to open by mid to late July, however he requested an additional three-month extension on their behalf.

Commissioner Chiominto: I make a motion to grant an extension for three months through December 1.

Commissioner Ortt: Second

Chairman Miller: All in favor?

Board: Aye

Chairman Miller: Three-month extension unanimously approved.

VIOLATIONS

UNDERAGE SALES OF ALCOHOL

Class “B” BWL No. B-185 - Jason Usilton, 3 Crazy Labradors, LLC, T/A Granite Run Taproom, 26 S. Main Street, Port Deposit, MD 21901

Jason Usilton appeared before the Board; he and Chief Bradford were duly sworn by the Clerk.

Chief Bradford: My name is Earl Bradford, Chief Inspector Cecil County Liquor Board; I'll be reading into the record documents provided by Inspector Odell and Daliessio, began on 2/17/22 when the Cecil County Liquor Board went to Granite Run Taproom; a person aged 21 in an attempt to purchase alcohol, without being asked for an ID which was successfully done. At that time, we provided the establishment, with an ID checking guide a calendar other educational literature and informed them that they would be would that we would return at a later date, with a person under the age of 21, which, in fact, we did on 4/28/22 at approximately 7:41 PM. Mr. Caleb Lawson 20 years, 20 years of age, date of birth, 3/11/12, entered the establishment, without an ID and was successful in purchasing a Modelo which I have a photo of, and the amount of \$6 without being asked for an ID from the Clerk Cheryl Usilton, a white female five four, who was employed by Granite Run Taproom occurred at that time, and all of these events, did occur in Cecil County. Also, I have for the record a photo of the individual Caleb who was 20 years of age at the time and all these documents as part of the record as Board exhibit 1, 2, 3 and 4.

Chairman Miller: Do you have anything to say?

Mr. Usilton: I am very sorry. We did suspend the clerk for a week; that clerk was my wife. Her only defense was that she thought he was our former employee, but that doesn't make it right.

Chairman Miller: We will make our decision and you will hear from us in writing.

BOARD DECISION:

Guilty - \$250 fine and \$250 cost of the proceedings

Questions/Public Comment General Business

- **Approve Minutes**
Commissioner Chiominto made a motion to approve the minutes from the May meeting; Commissioner Ortt seconded that motion, and the Board unanimously approved the minutes for May.
- **Specials - none**

Old Business

- **Rules & Regulations**

New Business

- Chief Bradford stated we have received a petition from the community regarding the noise at Unwined on the Water

With nothing further to discuss, Chairman Miller called for a motion to adjourn. Commissioner Ortt made a motion to adjourn; Commissioner Chiominto seconded that motion, and the meeting was adjourned at 10:05 AM.

BY:

Stephen Miller, Chairman

ATTEST:

Robin S. Trader, Administrative Assistant