

Board of Liquor License Commissioners for Baltimore City: Presentation on 9/22/2020 Virtual Hearing

Douglas K. Paige, Executive Secretary
Thomas R. Akras, Deputy Executive Secretary
Staci Russell, Assistant Executive Secretary
September 22, 2020

Outline of Packet

- Introduction to Webex Platform
- Materials, Evidence, and Related Items for 9/22/2020 Docket
- Procedures to be followed for 9/22/2020 Docket
- General Ground Rules and Helpful Information for 9/22/2020 Docket
- 9/22/2020 Short Docket
- 9/22/2020 Long Docket
- Adjournment

Introduction to the Webex Platform

- **Cisco Webex is the on-line meeting platform that the City of Baltimore uses to conduct all of its virtual meetings**
 - The Board of Estimates, City Council, and Planning Department have used Webex to hold virtual meetings since the outbreak of COVID-19
- **Cisco Webex Basics**
 - To fully utilize the Webex system, members of the general public should have access to a laptop, Ipad, smartphone or similar device with camera and microphone capabilities.
 - If your electronic device does not have microphone capabilities then you will need to utilize the phone number provided to dial in.
 - To participate in the Webex meeting, members of the public will have to download the Webex app to through their smartphones or click on the following link to access the hearing on-line:
 - <https://bmore.webex.com/bmore/onstage/g.php?MTID=ec5eafa660098ba3bdf3a265e1783790e>
 - Access Code: 173 663 6111
 - Password: BLLC1234
 - The BLLC suggests that if you are going to use your smartphone, Ipad, or similar device that you download the application at least one day before the date of the 9/22/2020 hearing to ensure you have access to the program.
 - If a member of the general public does not have access to a computer, smartphone or similar device they can call the following number and enter the following access code to LISTEN ONLY to the hearing:
 - Phone Number - 1-408-418-9388
 - Access Code – 173 663 6111

Materials, Evidence and Related Items – 9/22/2020 Docket

- **Materials**

- Copies of the short docket, which provide a brief description of the cases before the Board, and long docket, which include all application materials can be found on the BLLC’s website under hyperlinks for “September 22, 2020”:

- <https://llb.baltimorecity.gov/hearings-schedule>

- **Evidence – 48 Hour Rule for On-line Hearings**

- All of the evidence to be considered by the Board can be found in the long docket. The Board will be accepting evidence from any party to the hearing up until 11am on Sunday, September 20, 2020.

- All evidence should be submitted via email to Assistant Executive Secretary Ms. Staci Russell: Staci.Russell@baltimorecity.gov

- **Related Items**

- **EVIDENCE NOTE – Licensees should make all efforts to provide any documentation that they plan on submitting to the Board by 11:00 am on Sunday, September 20, 2020.**

- Attempts to introduce evidence at the hearing that was not submitted prior to the hearing may lead to a postponement of your case.

- In addition to the posting of the 9/22/2020 docket on-line, licensees, witnesses, and/or their representatives shall be served notice in accordance with the law.

Procedures for the 9/22/2020 Docket

- **Preliminary Reading of the Instructions and Calling of the Cases**

- The Deputy Executive Secretary (DES) will read the preliminary instructions and general ground rules for the hearing process
- The DES shall call each case in the order as listed on the short docket. The Chairman will then ask for the licensee, his or her representative, and all BLLC and Police Department personnel to identify themselves and be sworn in by the Court Reporter.

- **Evidentiary Hearing**

- The DES will call the case and the Board will a conduct an evidentiary hearing, which will include the calling of witnesses, hearing testimony, and reviewing documents entered into the record to determine whether or not a violation occurred.
- Upon conclusion of the hearing, which may include closing arguments by licensee an/or his representative, the Board will vote to determine whether or not a violation occurred. If the Board finds that a violation occurred, the Board may hear testimony or review evidence before imposing a sentence.
 - The Board will provide an opportunity to the general public to present testimony at the mitigation phase of the hearing
 - If an individual would like to testify, then he or she will have use the “raise your hand feature” within Webex, be recognized, identify yourself, be sworn in, and then testify.
 - All individuals who testify are subject to questioning by the Board and cross examination by the attorney or applicant.
 - REMEMBER – If you only have access to a phone you will not have the opportunity to testify.

- **Sentencing**

- Once the Board hears all of the evidence and testimony from the mitigation phase, the Board will then make a sentencing determination, which could include a fine, suspension, and/or revocation.

General Ground Rules and Helpful Information for 9/22/2020 Hearing

Ground Rules for Hearing Process

- Please mute yourself when you are not speaking. This will minimize feedback and extra noise.
- Please identify yourself and state the spelling of your name, before you speak.
- Please speak slowly and in a clear voice so that the Court Reporter understands exactly what is being said and who is saying it.
- Please note that this event will run live on Charm TV and a Court reporter will be present.
- Individuals who use profanity, are disrespectful, or unruly may be expelled from the virtual hearing.
- All attendees – applicants, licensees, and members of the public – that wish to provide testimony during the hearings must be sworn in prior to giving testimony.

Helpful Reminders to improve Webex Experience

- Be prepared - Read materials ahead of time, test the video conferencing platform ahead of time
- Location matters - Try to find a quiet space with good light and a strong internet connection so you can be seen and heard clearly
- Be present - don't multitask
- Be patient with yourself and others .

BLLC Short Docket – 9/22/2020

**BOARD OF LIQUOR LICENSE COMMISSIONERS FOR BALTIMORE CITY
DOCKET – TUESDAY, SEPTEMBER 22, 2020 – 11:00 a.m.
WEBEX VIRTUAL MEETING**

Please note: If you are interested in a particular case, please call (410) 396-4380 the day before these hearings to verify that a particular case is still scheduled for this date.

11:00 a.m.

I. Violations:

1. **Candice Bruno and John Potts, Jr., Ira Godfrey and Associates, T/a Old Major, 900 S. Carey Street** – Class “BD7” Beer, Wine & Liquor License – **Violation of Rule 3.09 (b) Rest Room Facilities and Health Regulations – November 8, 2019** – At approximately 11:00 PM, the Baltimore City Police Department, the Health Department and the BLLC conducted an inspection of this establishment. Upon conducting their inspection, Baltimore City Health Inspector Rice, with the assistance of another Health Department Inspector, found the following violations: (1) rodent droppings throughout the basement; and (2) several live rodent running around in the basement. These violations were brought to the attention of Mr. Aden Mohamed, the night manager on-duty, by the Health Department. As a result of the Health Code violations, the establishment was closed for the weekend until the violations discovered could be abated.
2. **Natile Di Francesco, Pig & Rooster Smokehouse, LLC, T/a Pig & Rooster Smokehouse, 3242 Foster Avenue** – Class “BD7” Beer, Wine & Liquor License – **Violation of Rule 3.09 (b) Restroom and Health Regulations – January 4, 2020** – At approximately 12:35 AM, the Baltimore City Police Department, Health Department, Department of Housing and Community Development, Fire Department, and BLLC conducted an inspection of this location. Upon Investigation, Inspectors Rice and Mathers of the Health Department found infestation of roaches within the kitchen area. They also reported that the kitchen area had unsanitary conditions. Inspectors Rice and Mathers then informed Ms. Genisse Roundtree, the night manager, and Ms. Natile Di Francesco, the licensee, of the violation and ordered the premises closed until the conditions could be abated.
3. **Rupak Karki and Robert Tompori, Eva Group, LLC, T/a Pratt Liquors & Bar, 1812 W. Pratt Street** – Class “BD7” Beer, Wine & Liquor License – **Violation of Rule 4.01(a) Sales to Minors – February 5, 2020** – At approximately 11:25 PM, the Baltimore City Police Department and the BLLC conducted random, joint investigations of establishments to determine if licensees would sell alcoholic beverages to minors. The joint task force responded to the establishment and sent Baltimore City Police Cadet Stokes, who is under the age of 21, into the establishment to attempt to purchase an alcoholic beverage(s). At that time, Stokes entered the establishment and purchased a 375ml bottle of “Peach Amsterdam” Vodka from the store clerk/bartender, a Mr. Keith Love. Utilizing a departmental \$20 bill, Stokes purchased the alcoholic beverage(s). Stokes then communicated to the task force that he was able to purchase an alcoholic beverage(s). Members of the task force entered the establishment and notified Mr. Love that an alcoholic beverage had just been purchased by a minor and it would be reported to the BLLC. The task force then recovered the marked currency and returned both the alcoholic beverage(s) and/or any change that was provided to Stokes to Mr. Love.
4. **Patrick Aquia and Sherry L. Palumbo, Sole Proprietorship, T/a Sherry’s Place, 238 S. Broadway** – Class “BD7” Beer, Wine & Liquor License – **Violation of Rule 4.01(a) Sales to Minors – March 11, 2020** – At approximately 9:05 PM, the Baltimore City Police Department and the BLLC conducted random, joint investigations of establishments to determine if licensees would sell alcoholic beverages to minors. The joint task force responded to the establishment and sent Baltimore City Police Cadet Queensbury, who is under the age of 21, into the establishment to attempt to purchase an alcoholic beverage(s). At that time, Queensbury entered the establishment and proceeded to order one (1) 200ml bottle of “Peach Amsterdam” vodka from the store clerk/bartender, a Ms. Marie Butler. Utilizing a departmental \$20 bill, Queensbury purchased the alcoholic beverage(s). Queensbury then communicated to the task force that he was able to purchase an alcoholic beverage(s). Members of the task force entered the establishment and notified Ms. Butler that an alcoholic beverage had just been purchased by a minor and it would be reported to the BLLC. The task force then recovered the marked currency and returned both the alcoholic beverage(s) and/or any change that was provided to Queensbury to Ms. Butler.
5. **Mehari Mengistab, 542 N. Luzerne, Inc., T/a Club Luzerne, 542 N. Luzerne Avenue** – Class “BD7” Beer, Wine & Liquor License – **Violation of Rule 4.01(a) Sales to Minors – March 12, 2020** – At approximately 12:01 AM, the Baltimore City Police Department and the BLLC conducted random, joint investigations of establishments to determine if licensees would sell alcoholic beverages to minors. The joint task force responded to the establishment and sent Baltimore City Police Cadet Queensbury, who is under the age of 21, into the establishment to attempt to purchase an alcoholic beverage(s). At that time, Queensbury entered the establishment and proceeded to order one (1) 200ml bottle of “Peach Amsterdam” vodka from the store clerk/bartender, a Mr. Ghebrfunsae Mengistab. Utilizing a departmental \$20 bill, Queensbury purchased the alcoholic beverage(s). Queensbury then communicated to the task force that he was able to purchase an alcoholic beverage(s). Members of the task force entered the establishment and notified Mr. Mengistab that an alcoholic beverage had just been purchased by a minor and it would be reported to the BLLC. The task force then recovered the marked currency and returned both the alcoholic beverage(s) and/or any change that was provided to Queensbury to Mr. Mengistab.

September 22, 2020

Licensee(s): Candice Bruno and John Potts, Jr
Ira Godfrey and Associates, T/a Old Major
900 S. Carey Street 21223

Class: "BD7" Beer, Wine & Liquor License

Violation of Rule 3.09 (b) Rest Room Facilities and Health Regulations – November 8, 2019 – At approximately 11:00 PM, the Baltimore City Police Department, the Health Department and the BLLC conducted an inspection of this establishment. Upon conducting their inspection, Baltimore City Health Inspector Rice, with the assistance of another Health Department Inspector, found the following violations: (1) rodent droppings throughout the basement; and (2) several live rodent running around in the basement. These violations were brought to the attention of Mr. Aden Mohamed, the night manager on-duty, by the Health Department. As a result of the Health Code violations, the establishment was closed for the weekend until the violations discovered could be abated.

(a) **Service on Licensee(s):** Summons issued to the licensee(s) on 9/1/2020.

(b) **Witnesses Summoned:** Summons issued to Chief Chrissomallis on 9/1/2020. Summons issued to Baltimore City Police Dept.: Det. Gatto, Det. Leisher, Det. Greenhill, and Det. Lebrun on 9/1/2020. Summons issued to Baltimore City Health Dept.: Inspector Rice on 9/1/2020.

(c) **Violation History of Current Corporation:** Licensee(s) appeared before the Board 11/21/2019 in reference to:

- Violation of Rule 4.01(a) - Sales to Minors
- \$1,000 + \$125 admin fee
- \$1,125 total fine

Licensee(s) appeared before the Board on 3/14/2019 in reference to:

- Violation of Rule 4.01(a) - Sales to Minors
- \$500 + \$125 admin fee
- \$625 total fine

(d) **License Transfer Date:** The license transferred to the above named Corporation on 4/2/2018.

Board's Decision:

September 22, 2020

Licensee(s): Natile Di Francesco
Pig & Rooster Smokehouse, LLC, T/a Pig & Rooster Smokehouse
3242 Foster Avenue 21224

Class: "BD7" Beer, Wine & Liquor License

Violation of Rule 3.09 (b) Restroom and Health Regulations – January 4, 2020 – At approximately 12:35 AM, the Baltimore City Police Department, Health Department, Department of Housing and Community Development, Fire Department, and BLLC conducted an inspection of this location. Upon Investigation, Inspectors Rice and Mathers of the Health Department found infestation of roaches within the kitchen area. They also reported that the kitchen area had unsanitary conditions. Inspectors Rice and Mathers then informed Ms. Genisse Roundtree, the night manager, and Ms. Natile Di Francesco, the licensee, of the violation and ordered the premises closed until the conditions could be abated.

(a) **Service on Licensee(s):** Summons issued to the licensee(s) on 9/1/2020.

(b) **Witnesses Summoned:** Summons issued to Baltimore City Police Dept.: Det. Gatto, Det. Leisher, Det. Greenhill, and Det. Lebrun on 9/1/2020. Summons issued to Baltimore City Health Dept.: Inspector Rice and Inspector Mathers on 9/1/2020.

(c) **Violation History of Current Corporation:** Licensee(s) appeared before the Board 5/23/2019 in reference to:

- Violation of Rule 4.01(a) - Sales to Minors
- \$350 fine + \$125 admin fee
- \$475 total fine

(d) **License Transfer Date:** The license transferred to the above named corporation on 3/31/2015.

Board's Decision:

Licensee(s): Rupak Karki and Robert Tompori
Eva Group, LLC, T/a Pratt Liquors & Bar
1812 W. Pratt Street 21223

Class: "BD7" Beer, Wine & Liquor License

Violation of Rule 4.01(a) Sales to Minors – February 5, 2020 – At approximately 11:25 PM, the Baltimore City Police Department and the BLLC conducted random, joint investigations of establishments to determine if licensees would sell alcoholic beverages to minors. The joint task force responded to the establishment and sent Baltimore City Police Cadet Stokes, who is under the age of 21, into the establishment to attempt to purchase an alcoholic beverage(s). At that time, Stokes entered the establishment and purchased a 375ml bottle of "Peach Amsterdam" Vodka from the store clerk/bartender, a Mr. Keith Love. Utilizing a departmental \$20 bill, Stokes purchased the alcoholic beverage(s). Stokes then communicated to the task force that he was able to purchase an alcoholic beverage(s). Members of the task force entered the establishment and notified Mr. Love that an alcoholic beverage had just been purchased by a minor and it would be reported to the BLLC. The task force then recovered the marked currency and returned both the alcoholic beverage(s) and/or any change that was provided to Stokes to Mr. Love.

(a) **Service on Licensee(s):** Summons issued to the licensee(s) on 9/1/2020.

(b) **Witnesses Summoned:** Summons issued to Agent Perez on 9/1/2020. Summons issued to Baltimore City Police Dept.: Det. Gatto, Det. Leisher, Det. Greenhill, Det. Lebrun, and Cadet Stokes 9/1/2020.

(c) **Violation History of Current Corporation:** Licensee(s) appeared before the Board on 2/6/2020 in reference to:

- Violation of Rule 3.12 – General Welfare
- Violation of Rule 4.16 – Illegal Conduct
- Violation of Rule 3.12 – General Welfare
- Violation of Rule 4.16 – Illegal Conduct
- Violation of Rule 3.12 – General Welfare
- Violation of Rule 4.16 – Illegal Conduct
- Rule 3.12 (11/25/19)–Fined \$500
- Rule 4.16 (11/25/19)–Fined \$500
- Rule 3.12 (12/26/19)–Fined \$500
- Rule 4.16 (12/26/19)–Fined \$500
- Rule 3.12 (1/22/20)–Fined \$500
- Rule 4.16 (1/22/20)–Fined \$500
- \$3,000 fine + \$125 admin fee
- \$3,125 total + 10-day suspension

Licensee(s) appeared before the Board on 5/23/2019 in reference to:

- Violation of Rule 4.01(a) - Sales to Minors
- \$750 fine + \$125 admin fee
- \$875 total fine

Licensee(s) appeared before the Board on 11/8/2018 in reference to:

- Violation of Rule 4.01(a) - Sales to Minors
- \$300 + \$125 admin fee
- \$425 total fine

(d) **License Transfer Date:** The license transferred to the above named corporation on 9/12/2018.

Board's Decision:

Licensee(s): Patrick Aquia and Sherry L. Palumbo
Sole Proprietorship, T/a Sherry's Place
238 S. Broadway 21231

Class: "BD7" Beer, Wine & Liquor License

Violation of Rule 4.01(a) Sales to Minors – March 11, 2020 – At approximately 9:05 PM, the Baltimore City Police Department and the BLLC conducted random, joint investigations of establishments to determine if licensees would sell alcoholic beverages to minors. The joint task force responded to the establishment and sent Baltimore City Police Cadet Queensbury, who is under the age of 21, into the establishment to attempt to purchase an alcoholic beverage(s). At that time, Queensbury entered the establishment and proceeded to order one (1) 200ml bottle of "Peach Amsterdam" vodka from the store clerk/bartender, a Ms. Marie Butler. Utilizing a departmental \$20 bill, Queensbury purchased the alcoholic beverage(s). Queensbury then communicated to the task force that he was able to purchase an alcoholic beverage(s). Members of the task force entered the establishment and notified Ms. Butler that an alcoholic beverage had just been purchased by a minor and it would be reported to the BLLC. The task force then recovered the marked currency and returned both the alcoholic beverage(s) and/or any change that was provided to Queensbury to Ms. Butler.

(a) **Service on Licensee(s):** Summons issued to the licensee(s) on 9/1/2020.

(b) **Witnesses Summoned:** Summons issued to Baltimore City Police Dept.: Det. Gatto, Det. Leisher, Det. Greenhill, and Det. Lebrun on 9/1/2020.

(c) **Violation History of Current Corporation:** Licensee(s) appeared before the Board on 3/14/2019 in reference to:

- Violation of Rule 4.01(a) - Sales to Minors
- \$350 + \$125 admin fee
- \$475 total fine

Licensee(s) appeared before the Board on 10/4/2012 in reference to:

- Violation of Rule 4.15 - Gambling
- \$500 fine; \$250 suspended
- \$250 fine + \$125 admin fee
- \$375 total fine

Licensee(s) appeared before the Board on 11/13/2008 in reference to:

- Violation of Rule 4.01(a) - Sales to Minors
- Paid \$500 in lieu of hearing

(d) **License Transfer Date:** The license transferred to the above named corporation on 3/20/1974.

Board's Decision:

September 22, 2020

Licensee(s): Mehari Mengistab
542 N. Luzerne, Inc., T/a Club Luzerne
542 N. Luzerne Avenue 21205

Class: "BD7" Beer, Wine & Liquor License

Violation of Rule 4.01(a) Sales to Minors – March 12, 2020 – At approximately 12:01 AM, the Baltimore City Police Department and the BLLC conducted random, joint investigations of establishments to determine if licensees would sell alcoholic beverages to minors. The joint task force responded to the establishment and sent Baltimore City Police Cadet Queensbury, who is under the age of 21, into the establishment to attempt to purchase an alcoholic beverage(s). At that time, Queensbury entered the establishment and proceeded to order one (1) 200ml bottle of "Peach Amsterdam" vodka from the store clerk/bartender, a Mr. Ghebrftunsae Mengistab. Utilizing a departmental \$20 bill, Queensbury purchased the alcoholic beverage(s). Queensbury then communicated to the task force that he was able to purchase an alcoholic beverage(s). Members of the task force entered the establishment and notified Mr. Mengistab that an alcoholic beverage had just been purchased by a minor and it would be reported to the BLLC. The task force then recovered the marked currency and returned both the alcoholic beverage(s) and/or any change that was provided to Queensbury to Mr. Mengistab.

(a) **Service on Licensee(s):** Summons issued to the licensee(s) on 9/1/2020.

(b) **Witnesses Summoned:** Summons issued to Agent Perez on 9/1/2020. Summons issued to Baltimore City Police Dept.: Det. Gatto, Det. Leisher, Det. Greenhill, and Det. Lebrun on 9/1/2020.

(c) **Violation History of Current Corporation:** Licensee(s) appeared before the Board on 11/1/2018 in reference to:

- Violation of Rule 4.01(a) - Sales to Minors
- \$750 + \$125 admin fee
- \$875 total fine

Licensee(s) appeared before the Board on 10/19/2017 in reference to:

- Violation of Rule 4.20(c)(ii) - Open and Operating Tavern at all Times
- \$250 fine + \$125 admin fee
- \$375 total fine

(d) **License Transfer Date:** The license transferred to the above named corporation on 1/28/2014.

Board's Decision:

Adjournment

- **The Board will be in recess until Thursday, September 24, 2020. The Board shall post on its website, provide notice to applicants and/or attorneys, and conduct a virtual hearing on this date.**
- Please call our office at 410-396-4377 between 8:30 am and 4:30 pm with any questions or concerns that you have concerning this matter or any other!