

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, August 28, 2019** at 9:15 A.M.

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

## APPLICATIONS TRANSFER

Application received from Matthew Price Trainer, EMK Investments, LLC, 2360 Pulaski Highway, North East, MD 21901 for transfer of Class "B" Beer, Wine & Liquor Alcoholic Beverage License No. B-15 from James Vincent Bomba, President; Margaret Kathryn Bomba, Secretary/Treasurer; Vincent J. Bomba, Madison House, Inc. 2360 Pulaski Highway, North East, MD 21901

Matthew Trainer appeared before the Board with attorney, Robert Jones; the applicant was duly sworn by the Clerk. Mr. Allison read the legal notice stating it was advertised on the dates of August 16 and 21, 2019. The fully executed application packet with proper fees included: signatures of 10 registered voters and property owners in District 5; the zoning certificate signed by Curtis McCardell, Code Compliance Inspector, Cecil County Land Use & Development. Mr. Allison asked if any of the information submitted on the application has changed; Mr. Trainer stated no. Mr. Jones stated EMK Investments holds the mortgage on the property, Mr. Trainer is trying to protect the property and hang onto the license; he does not plan to take action on the license to open, there will be no food/alcohol service; his plan is to find someone to lease the property. Mr. Jones stated that Mr. Trainer does have an interest in the Nauti Goose license. With no further questions, Chairman Miller called for a motion; Commissioner Ortt made a motion to approve the transfer of Class "B" Beer, Wine & Liquor Alcoholic Beverage License No. B-15 to Matthew Price Trainer, EMK Investments, LLC, 2360 Pulaski Highway, North East, MD 21901 from James Vincent Bomba, President; Margaret Kathryn Bomba, Secretary/Treasurer; Vincent J. Bomba, Madison House, Inc. 2360 Pulaski Highway, North East, MD 21901 conditioned upon updating the Board in six months; Commissioner Chiominto seconded that motion and the Board unanimously approved the transfer conditioned upon updating the Board in six months.

Application received from Isabel Hernandez, Spork Café LLC, T/A Spork Café, 102 West Main Street, Elkton, MD 21921 for transfer of Class "B" Beer and Light Wine Alcoholic Beverage License No. B-175 from Elena Smart; Brielle Smart; Jason Curtis; JEB's Firewater, LLC, T/A Spork, 102 West Main Street, Elkton, MD 21921 – **FAILED TO APPEAR**

Application received from Edward O'Hara, President; Sara T. O'Hara, Vice President; Curtis Pember York, Secretary; Sande Properties, Inc. T/A The Inn At the Canal, 104 Bohemia Avenue, Chesapeake City, MD 21915 for transfer of Class "B" Beer, Wine & Liquor Alcoholic Beverage License No. B-182 from Curtis Pember York, Owner, T/A The Rum Guys, 19 Bohemia Avenue, Chesapeake City, Maryland 21915

Edward and Sara O'Hara and Curtis York appeared before the Board; the applicants were duly sworn by the Clerk. Mr. Allison read the legal notice stating it was advertised on the dates of August 16 and 21, 2019. The fully executed application packet with proper fees included: signatures of 10 registered voters and property owners in District 6; the zoning certificate signed by Robert Bernstine, Town Manager, Chesapeake City. Mr. Allison asked if any of the information on the application has changed; the applicants stated no. Chairman Miller asked what their plan for the business is; Mr. O'Hara stated they would like to set up a temporary bar to keep the license active; they will begin construction in October or November on the commercial grade kitchen. Mr. O'Hara continued that the bar will be open to the general public, as well as, guests at the Inn; they would like to offer room service drinks. Commissioner Ortt asked if they would close during construction; Mr. O'Hara stated they are hoping to stay open as long as possible. Their plan is to offer breakfast to guests, as well as, bar type food and Sunday brunch to the general public. They would like to call the bar area "Rummer Lounge". Chief Bradford stated they would have six months to qualify for Sunday Sales. When asked if they thought it would be a problem meeting the food portion of the Sunday Sales requirement; Mr. O'Hara stated between May 10, 2019 through December 31, 2018, their food sales was \$18,560 and in 2019 to date \$15,120, their projection for the year is \$19,350. He does not see a problem meeting the requirement. Chairman Miller asked if there was anyone to testify either for or against the transfer; there was no one. Commissioner Chiominto made a motion to approve the transfer of Class "B" Beer, Wine & Liquor Alcoholic Beverage to Edward O'Hara, President; Sara T. O'Hara, Vice President; Curtis Pember York, Secretary; Sande Properties, Inc. T/A The Inn At the Canal, 104 Bohemia Avenue, Chesapeake City, MD 21915 from Curtis Pember York, Owner, T/A The Rum Guys, 19 Bohemia Avenue, Chesapeake City, Maryland 21915; Commissioner Ortt seconded that motion and the Board unanimously voted to approve the transfer; there was no one. Commissioner Chiominto made a motion to approve the transfer of Class "B" Beer, Wine & Liquor Alcoholic Beverage to Edward O'Hara, President; Sara T. O'Hara, Vice President; Curtis Pember York, Secretary; Sande Properties, Inc. T/A The Inn At the Canal, 104 Bohemia Avenue, Chesapeake City, MD 21915 from Curtis Pember York, Owner, T/A The Rum Guys, 19 Bohemia Avenue, Chesapeake City, Maryland 21915.

Application received from Jigar Patel, Member; Darshna Patel, Member; JDP LLC, T/A Lindy's Market, 5440 Pulaski Highway, Perryville, MD 21903 for transfer of Class "A" Beer, Wine & Liquor Alcoholic Beverage License No. A-18 from Jayesh Ambalal Patel, President; Jigar M. Patel, Vice President; JDP, LLC, T/A Lindy's, 5448 Pulaski Highway, Perryville, MD 21903

Jigar Patel and Darshna Patel appeared before the Board; the applicants were duly sworn by the Clerk. Mr. Allison read the legal notice stating it was advertised on the dates of August 16

and 21, 2019. The fully executed application packet with proper fees included: signatures of 10 registered voters and property owners in District 7. Mr. Allison asked if any of the information on the application has changed; the applicants stated no. Mrs. Trader stated the reason for the transfer is that 51% of the ownership has changed; the LLC is the same, it is just a paperwork change. Chairman Miller asked if they have had any past violations; Chief Bradford stated no. With no further questions, Chairman Miller called for a motion. Commissioner Chiominto made a motion to approve the transfer of Class "A" Beer, Wine & Liquor Alcoholic Beverage License No. A-18 to Jigar Patel, Member; Darshna Patel, Member; JDP LLC, T/A Lindy's Market, 5440 Pulaski Highway, Perryville, MD 21903 from Jayesh Ambalal Patel, President; Jigar M. Patel, Vice President; JDP, LLC, T/A Lindy's, 5448 Pulaski Highway, Perryville, MD 21903; Commissioner Ortt seconded that motion and the Board unanimously voted to approve the transfer of Class "A" Beer, Wine & Liquor Alcoholic Beverage License No. A-18 to Jigar Patel, Member; Darshna Patel, Member; JDP LLC, T/A Lindy's Market, 5440 Pulaski Highway, Perryville, MD 21903 from Jayesh Ambalal Patel, President; Jigar M. Patel, Vice President; JDP, LLC, T/A Lindy's, 5448 Pulaski Highway, Perryville, MD 21903

#### LEASE MANAGEMENT AGREEMENT:

Class "B" BWL No. B-135 - Christopher D. Shelton, Licensee; Jake Ritter, Bay Crawlers, LLC, Lease Manager; T/A **Bay Crawlers**, 1701 Turkey Point Road, North East, MD 21901

#### – FAILED TO APPEAR

Commissioner Chiominto made a motion to bring the licensees of Bay Crawlers into the October 2019 meeting for show cause for failure to appear at the hearing; Commissioner Ortt seconded that motion and the Board unanimously approved to bring the licensees of Bay Crawlers into the October 2019 meeting for show cause for failure to appear at the hearing

#### Informational/Questions:

Class "D" BWL License No. D-110 - Scott A. McCardell, Member; Jessica L. Alexander, Member; Maryland Beer Company LLC, T/A **Maryland Beer Company**, 601 North Bridge Street, Suite C, Elkton, MD 21921

Scott McCardell and Jessica Alexander appeared before the Board and were duly sworn by the Clerk. Ms. Alexander stated they are trying to figure out a few things regarding their Class "D" license which does not allow anyone under 21 on the premises. She continued, "What is the Liquor Board's interpretation of a fully functional kitchen?" Mr. Allison stated, the Board does not make an independent definition of a functional kitchen. Ms. Alexander stated the Health Department require a three compartment sink, a hand washing sink, a prep area and refrigeration, which at this point, all I have to do is put in a hand washing sink and a prep area. Chairman Miller asked, "What would you use for cooking now?" Mr. McCardell stated, "We would probably use the warmers. It is a countertop, just like a two compartment stove. That'll do pizzas pretzels flat breads, things like that. It's basically just going to be bar food to be try to be fully functional. I mean, I'm sorry, we will not be a complete full service restaurant. We're going to serve sandwiches, pizzas, things like that."

Mr. Allison stated; "If I could give you a little bit of clarity. I think that before you go investing money in upgrading your kitchen and going through the Health Department process, it would seem to me that you should develop a menu, at least a conceptual menu right and bring it before the Board; because I would suggest that probably finger food itself is not going to be considered compliant."

Mr. Allison reiterated that the licensees need to present a menu to the Board before any decision would be made.

#### General Business

- **Approve Minutes**  
Minutes from the July 31, 2019 meeting were approved.
- **Specials**

#### Old Business

#### New Business

With no further business to discuss, Commission Ortt made a motion to adjourn the meeting; Commissioner Chiominto seconded that motion and the meeting was adjourned.

BY:

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Stephen Miller, Chairman

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ATTEST:  
Robin S. Trader, Administrative Assistant